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Rules and Regulations

Title 7—AGRICULTURE

Chapter VI—Soil Conservation Service, Department of Agriculture

PART 601—GREAT PLAINS CONSERVATION PROGRAM

Subpart—General Program Provisions

MISCELLANEOUS AMENDMENTS

The regulations governing the Great Plains Conservation Program, 22 F.R. 6851, as amended, are hereby further amended as provided herein.

§ 601.1 [Amendment]

1. Section 601.1(d) is deleted and the following is inserted in lieu thereof:

(d) "Administrator, ASCS," means the Administrator of the Agricultural Stabilization and Conservation Service, United States Department of Agriculture.

§ 601.3 [Amendment]

2. Section 601.3(b) is amended by substituting "Agricultural Stabilization and Conservation Service" in lieu of "Agricultural Conservation Program Service."

§ 601.11 [Amendment]

3. Section 601.11(a) (16) is amended by changing the second sentence thereof to read as follows: "The leveling operation must be carried out in accordance with the plan of operations which shall also provide that temporary cover or a crop will be seeded on the land in the same growing season in which the leveling was done; or for suitable erosion control measures to be carried out in lieu of temporary cover when the planting season is too far advanced at time of leveling for planting a cover crop."

4. Section 601.11(a) (25), (26), and § 601.11(b) are amended by substituting "Administrator, ASCS," for "Administrator, ACPS," wherever the same appears therein.

5. Section 601.22 is amended to read as follows:

§ 601.22 Practices that tend to defeat the purposes of a contract.

(a) The following actions are specified as practices which tend to defeat the purposes of the contract: Knowingly or negligently destroying or breaking up a conservation practice in the plan of operation, irrespective of cost-share payments, unless prior approval in writing is given by the contracting officer to the destroying or breaking up under standards determined by the Administrator, SCSS.

(b) Adoption of any such practices by a producer on an operating unit while he has control thereof during the life of the contract shall constitute a violation of the contract.

(Sec. 4, 49 Stat. 164, as amended, 16 U.S.C. 590d)

Done at Washington, D.C., this 6th day of December 1962.

JOHN A. BAKER,
Assistant Secretary.

[F.R. Doc. 62-12222; Filed, Dec. 10, 1962; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 62-CE-63]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone

The purpose of this amendment to Part 71 [New] of the Federal Aviation Regulations is to alter the description of the Traverse City, Mich., control zone. Part 71 [New] was published in the FEDERAL REGISTER on October 24, 1962 as a part of the Agency's recodification program. This new Part contains the regulatory material presently found in Parts 600 and 601 of the regulations of the Administrator and becomes effective December 12, 1962 (27 F.R. 10352, 220-2, November 10, 1962).

The Traverse City control zone is presently designated, in part, with reference to the Traverse City radio range. The Federal Aviation Agency is converting this facility to a combined transcribed weather broadcast station and radio beacon. The Traverse City control zone south extension is presently designated with reference to the Traverse City VOR 348° and 168° True radials. This alignment of the south extension does not offer complete protection for aircraft executing the prescribed Traverse City VOR instrument approach procedure. The action taken herein reflects the conversion of the radio range and substitutes the Traverse City VOR 338° and 158° True radials for the 348° and 168° True radials in the description of the Traverse City control zone. In addition, this action reduces the linear dimensions of the control zone extensions presently designated with reference to the radio range and the VOR from 12 miles to 8 miles in accordance with existing air traffic control requirements. Controlled airspace requirements for this area will be further reviewed at a later date under the CAR Amendments 60-21/60-29 implementation program.

Since the changes effected by this amendment impose no additional burden on any person, notice and public procedure hereon are unnecessary. How-

ever, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment shall become effective more than 30 days after publication.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following action is taken:

In § 71.171 (27 F.R. 220-91, November 10, 1962), the Traverse City, Mich., control zone is amended to read:

Traverse City, Mich.

Within a 5-mile radius of Traverse City Municipal Airport (latitude 44°44'35" N., longitude 85°34'50" W.); within 2 miles either side of the 137° bearing from the Traverse City RBN extending from the 5-mile radius zone to 8 miles SE of the RBN, and within 2 miles either side of the Traverse City VOR 338° and 158° radials extending from the 5-mile radius zone to 8 miles S of the VOR.

This amendment shall become effective 0001 e.s.t. February 7, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on December 5, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-12178; Filed, Dec. 10, 1962; 8:45 a.m.]

[Airspace Docket No. 62-WA-132]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Miscellaneous Amendments

On October 24, 1962, Federal Register Document No. 62-10612 was published in the FEDERAL REGISTER which recodified Parts 600, 601, 602, 608 and 626 of the Regulations of the Administrator (27 F.R. 10352, effective December 12, 1962). Part 601 was combined with Part 600 to form a new Part 71 of the Federal Aviation Regulations. On November 10, 1962, Federal Register Document No. 62-10932 (27 F.R. 220-2) was published in the FEDERAL REGISTER. In this document the descriptions of the airways, reporting points and controlled airspace were published in the new Part 71 format. The purpose of this action is to correct errors, rectify omissions and make other necessary editorial amendments to F.R. Doc. No. 62-10932 (27 F.R. 220-2).

Since these amendments are editorial in nature and impose no additional burden on any person, compliance with Section 4 of the Administrative Procedure Act is unnecessary and the effective date of the rule as originally adopted is retained.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), effective immediately, Federal Register

Document No. 62-10932 (27 F.R. 220-2, November 10, 1962) is amended as follows:

1. Section 71.181 is amended as follows:

In the Traverse City, Mich., transition area, "VOR." is deleted and "VOR, excluding the airspace within Federal airways." is substituted therefor.

2. Section 71.171 is amended as follows:

In the Washington, D.C., control zone, "localizer E course," is deleted and "localizer S course," is substituted therefor.

3. Section 71.171 the Westhampton Beach, Long Island, N.Y., control zone is amended to read:

Westhampton Beach, Long Island, N.Y.

Within a 5-mile radius of Suffolk County AFB, Westhampton Beach, Long Island, N.Y. (latitude 40°50'40" N., longitude 72°37'45" W.).

4. Section 71.171 is amended by adding the following:

Macon, Ga.

Within a 5-mile radius of Macon Municipal Airport (latitude 32°41'35" N., longitude 83°38'50" W.); within 2 miles either side of the Macon VORTAC 316° and 325° radials extending from the Macon 5-mile radius zone to 12 miles NW of the VORTAC; within a 5-mile radius of Robins AFB, Macon, Ga. (latitude 32°38'30" N., longitude 83°35'35" W.), and within 2 miles either side of the Macon VORTAC 120° and 140° radials extending from the Robins 5-mile radius zone to 12 miles SE of the VORTAC.

5. Section 71.181 is amended as follows:

In the Jacksonville, Ill., transition area "(latitude 38°44'50" N., longitude 90°21'52" W.)." is deleted and "(latitude 38°44'50" N., longitude 90°21'55" W.)." is substituted therefor.

6. Section 71.181 is amended as follows:

In the Hardin, Ill., transition area "(latitude 38°44'50" N., longitude 90°21'52" W.)." is deleted and "(latitude 38°44'50" N., longitude 90°21'55" W.)." is substituted therefor.

7. Section 71.165 is amended as follows:

In the St. Louis, Mo., control area extension "(latitude 38°44'50" N., longitude 90°21'52" W.)." is deleted and "latitude 38°44'50" N., longitude 90°21'55" W.)." is substituted therefor.

8. Section 71.181 is amended as follows:

In the Glasgow, Mont., transition area, "within R-4901" is deleted and "within R-4601" is substituted therefor.

9. Section 71.181 is amended as follows:

In the Meridian, Miss., transition area, "to the point of beginning excluding the portion within the Meridian control area extension and within the area SE of the Meridian NAAS bounded on the N by V-18, on the E by V-209, and on the S by V-154." is deleted and "to the point of beginning; and that airspace SE of Meridian NAAS bounded on the N by V-18, on the E by V-209, and on the S by V-154, excluding the portion within the Meridian control area extension." is substituted therefor.

10. Section 71.203 "DeLancy, N.Y." and "Eau Claire, Wis." are deleted and "De-

Lancey, N.Y." and "Eau Claire, Wis." are substituted therefor.

11. Section 71.207 "Tonapah, Nev." is deleted and "Tonopah, Nev." is substituted therefor.

12. Section 71.209 "Alabacore INT: INT 185° bearing Galveston, Tex., RBN, 097° bearing Corpus Christi, Tex., RBN" is deleted and "Albacore INT: INT 185° bearing Galveston, Tex., RBN, 097° bearing Corpus Christi, Tex., RBN" is substituted therefor.

13. Section 71.181 is amended as follows:

In the Salina, Kans., transition area, "excluding the portion within 25 miles of the Hutchinson RBN." is deleted and "excluding the airspace within a 25-mile radius of latitude 38°00'53" N., longitude 97°51'40" W., and within V-73 more than 25 miles from Schilling AFB." is substituted therefor.

14. In § 71.165 the Orlando, Fla., control area extension is amended to read:

Orlando, Fla.

That airspace NW of Orlando, bounded on the NW by V-97 E alternate, on the E by V-35 W and on the SW by V-97, excluding the portion below 2,000 feet MSL outside the United States; that airspace bounded on the N by latitude 29°00'00" N., on the E by V-267 N of the Orlando, Fla., VOR and V-159 E alternate S of the Orlando VOR, on the S by latitude 27°45'00" N., and on the W by the arc of a 50-mile radius circle centered at latitude 27°53'18" N., longitude 82°29'29" W., and V-97; and that airspace W of Vero Beach, Fla., bounded on the N by latitude 27°45'00" N., on the NE by V-295, on the SE by V-225, and on the W by V-267. The portion within R-2910 shall be used only after obtaining prior approval from the appropriate authority.

15. Section 71.163 is amended by adding the following:

Control 1181

That airspace within tangent lines drawn from the circumference of a 5-mile radius circle centered on the Weeksville, N.C., RBN to a 10-mile radius circle centered on the INT of the 133° bearing from the Weeksville RBN and the W boundary of the New York Oceanic Control Area, excluding the portion below 2,000 feet which extends outside the United States.

16. Section 71.163 Control 1153 is amended to read:

Control 1153

That airspace within tangent lines drawn from the circumference of a 5-mile radius circle centered on the Jacksonville, Fla., RBN to an 18-mile radius circle centered at the INT of the 090° bearing from the Jacksonville RBN and the W boundary of the New York Oceanic Control Area, excluding the portion below 2,000 feet MSL outside the United States.

17. Section 71.165 is amended as follows:

In the Tucson, Ariz. (A) control area extension, "The portion of this control area extension within R-2306 shall be used only after obtaining prior approval from appropriate authority." is deleted.

18. Section 71.165 the Portland, Maine, control area extension is amended to read:

Portland, Maine

That airspace bounded by a line beginning at latitude 43°37'00" N., longitude 71°00'00" W., to latitude 43°45'00" N., longitude 71°09'00" W., to latitude 44°06'00" N., longitude

70°43'00" W., to latitude 43°56'00" N., longitude 70°29'00" W., to latitude 43°52'00" N., longitude 70°29'00" W., thence SE to the continental limits of the United States via a line 5 miles NE of and parallel to the 132° and 312° bearings from the Portland Municipal Airport (latitude 43°38'50" N., longitude 70°18'28" W.), thence S via the continental limits of the United States to the N boundary of the Boston, Mass., control area extension, thence W along that boundary to longitude 71°00'00" W., to the point of beginning.

19. Section 71.165 is amended as follows:

In the New Orleans, La., control area extension "including the airspace within the United States SW, S and SW of New Orleans bounded by a line beginning at a point on the S boundary of V-20 at longitude 91°05'00" W." is deleted and "including the airspace within the United States SW, S and SE of New Orleans bounded by a line beginning at a point on the S boundary of V-20 at longitude 91°05'00" W." is substituted therefor.

20. Section 71.165 is amended as follows:

In the Washington, D.C., control area extension, "R-6607" is deleted and "R-4008" is substituted therefor.

21. Section 71.165 is amended by adding the following:

Tampa, Fla.

Within a 50-mile radius of latitude 27°53'18" N., longitude 82°29'29" W.; including the airspace NW of Tampa extending from the 50-mile radius area bounded on the NE by V-97, on the S by Control 1226 and on the W by a line 5 miles W of and parallel to the Cross City, Fla., VOR 207° radial; the airspace SE of Tampa extending from the 50-mile radius area bounded on the NE by V-157, on the SE by V-225 and on the SW by V-35; the airspace W of Tampa bounded on the N by a line extending from latitude 28°06'35" N., longitude 84°00'00" W., to latitude 28°10'00" N., longitude 84°39'30" W., on the E by a line 5 miles W of and parallel to the Cross City VOR 207° radial, and on the S by Control 1226; and the airspace N of La Belle, Fla., bounded on the NE by V-267, on the SE by V-225, on the SW by V-157; and on the NW by a line extending from latitude 27°14'10" N., longitude 81°31'00" W., to latitude 27°22'00" N., longitude 81°08'00" W., thence to latitude 27°45'00" N., longitude 81°08'00" W., excluding the portion which coincides with W-168 and the portion below 2,000 feet MSL outside the continental United States.

22. Section 71.165 is amended as follows:

In the Hudspeth, Tex., control area extension, "within a 20-nmi radius of the Hudspeth VOR," is deleted and "within a 20-mile radius of the Hudspeth VOR," is substituted therefor.

23. Section 71.165 is amended as follows:

In the Eniwetok Island control area extension "latitude 11°31'00" N., longitude 162°20'00" E." is deleted and "latitude 11°21'00" N., longitude 162°20'00" E." is substituted therefor.

24. Section 71.163 is amended as follows:

In Control 1217 "NE boundary of the Anchorage Oceanic Control Area." is deleted and "NW boundary of the Anchorage Oceanic Control Area." is substituted therefor.

25. Section 71.165 "Miami, Fla. (A)" is deleted.

26. Section 71.165 is amended as follows:

In the Fort Meyers, Fla., control area extension "and on the W by the Tampa, Fla., control area extension," is deleted and "and on the W by Control 1228," is substituted therefor.

27. In § 71.165, the Pensacola, Fla., control area extensions are combined as follows:

Pensacola, Fla.

Within a 25-mile radius of NAAS Sauflay Field, Pensacola, Fla.; the airspace SW of Pensacola within the arc of a 38-mile radius circle centered at NAAS Sauflay bounded on the W by a line extending through latitude 30°06'00" N., longitude 87°49'00" W., and latitude 30°15'00" N., longitude 87°41'00" W., on the E by a line extending through latitude 29°55'00" N., longitude 87°20'00" W., and latitude 30°19'00" N., longitude 87°13'00" W. and on the NE by the 25-mile radius area; and within 8 miles E and 5 miles W of the 345° and 165° bearings from the Pensacola RBN extending from 25 miles N to 12 miles S of the RBN, excluding the portion of this control area extension within R-2909 and W-155.

28. Section 71.171 is amended by adding the following:

Atlanta, Ga. (Fulton County Airport)

Within a 5-mile radius of Fulton County Airport (latitude 33°46'47" N., longitude 84°31'20" W.) and within 2 miles either side of the Fulton County VOR 276° radial extending from the 5-mile radius zone to 11 miles W of the VOR excluding the portion within the Dobbins AFB/NAS Atlanta control zone.

29. In § 71.165, the caption of the Miami, Fla. (B) control area extension is amended to read: "Miami, Fla.".

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on December 7, 1962.

H. B. HELSTROM,
Acting Chief,

Airspace Utilization Division.

[F.R. Doc. 62-12244; Filed, Dec. 10, 1962; 8:50 a.m.]

[Airspace Docket No. 62-WA-123]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Miscellaneous Amendments

On October 24, 1962, Federal Register Document No. 62-10612 was published in the FEDERAL REGISTER which recodified Parts 600, 601, 602, 603 and 626 of the Regulations of the Administrator (27 F.R. 10352, effective December 12, 1962). Part 601 was combined with Part 600 to form a new Part 71 of the Federal Aviation Regulations. On November 10, 1962, Federal Register Document No. 62-10932 (27 F.R. 220-2) was published in the FEDERAL REGISTER. In this document the descriptions of the airways, reporting points and controlled airspace were published in the new Part 71 format. However, since it was necessary to issue certain amendments to Part 601 subsequent to the preparation of the Federal Register Document No. 62-10932, these amendments do not appear in that publication. Therefore, ac-

tion is taken herein to alter Federal Register Document No. 62-10932 to include these amendments. Minor editorial changes are also made to certain airspace descriptions. The airspace dockets where these amendments originally appeared are as follows:

62-WA-25 (27 F.R. 6751, 7822)
62-EA-64 (27 F.R. 9378)
62-CE-47 (27 F.R. 10992)
62-EA-50 (27 F.R. 9511)
62-WA-5 (27 F.R. 10538)
62-SO-65 (27 F.R. 11314)
62-SO-66 (27 F.R. 11254)
62-CE-54 (27 F.R. 11759)
62-EA-66 (27 F.R. 11533)
62-WA-104 (27 F.R. 9593)
61-LA-128 (27 F.R. 11343)
62-SW-33 (27 F.R.)
62-SW-36 (27 F.R.)

Since these amendments are editorial in nature and impose no additional burden on any person, compliance with Section 4 of the Administrative Procedure Act is unnecessary and the effective date of the rule as originally adopted is retained.

In consideration of the foregoing and pursuant to the authority, delegated to me by the Administrator (25 F.R. 12582), effective immediately, Federal Register Document No. 62-10932 (27 F.R. 220-2) is amended as follows:

1. (Omitted.)

2. In § 71.171 the Fresno, Calif. (Chandler Municipal Airport) control zone is amended to read:

Fresno, Calif. (Chandler Municipal Airport)

From 0700-2300 hours local time, daily, within a 5-mile radius of Chandler Municipal Airport (latitude 36°43'55" N., longitude 119°49'05" W.) and within 2 miles either side of the 152° bearing from latitude 36°43'25" N., longitude 119°50'20" W., extending from the 5-mile radius zone to 8 miles SE of latitude 36°43'25" N., longitude 119°50'02" W., excluding the portion within the Fresno (Fresno Air Terminal) control zone.

3. Section 71.171 is amended as follows:

In the Islip, N.Y., control zone "OM." is deleted and "OM, from 0700 to 2300 hours, local time, daily." is substituted therefor.

4. a. Section 71.107 is amended as follows:

In R-92, "Sault Ste. Marie, Mich., RR" is deleted and "Sault Ste. Marie, Mich., RBN" is substituted therefor.

b. In § 71.171, the Sault Ste. Marie, Mich., control zone is amended to read:

Sault Ste. Marie, Mich. (Sault Ste. Marie, Municipal Airport)

Within a 5-mile radius of Sault Ste. Marie Municipal Airport (latitude 46°28'40" N., longitude 84°21'55" W.), within 2 miles either side of the 113° bearing from the Sault Ste. Marie RBN extending from the 5-mile radius zone to 12 miles SE of the RBN, and within 2 miles either side of the Sault Ste. Marie VOR 146° and 326° radials extending from the 5-mile radius zone to 12 miles SE of the VOR, excluding the portion outside the United States.

5. In § 71.171, the Albany, N.Y., control zone is amended to read:

Albany, N.Y.

Within a 5-mile radius of Albany County Airport (latitude 42°44'48" N., longitude 73°48'19" W.); within 2 miles either side of the 015° bearing from latitude 42°47'42" N., longitude 73°48'10" W. extending from the

5-mile radius zone to 10 miles N. of latitude 42°47'42" N., longitude 73°48'10" W., and within 2 miles either side of the Albany ILS localizer N course extending from the 5-mile radius zone to 10 miles N of the OM.

6. Section 71.163 is amended by adding the following:

Control 1485

That airspace N of Fairbanks, Alaska, extending from 18,500 feet MSL to flight level 450 bounded by a line beginning at: latitude 72°00'00" N., longitude 141°00'00" W.; to latitude 70°28'40" N., longitude 141°00'00" W.; to latitude 64°39'30" N., longitude 145°50'00" W.; to latitude 65°00'00" N., longitude 140°10'00" W.; to latitude 72°00'00" N., longitude 144°13'15" W.; to the point of beginning.

7. In § 71.171, the Myrtle Beach, S.C., control zone is amended to read:

Myrtle Beach, S.C.

Within a 5-mile radius of Myrtle Beach AFB (latitude 33°40'50" N., longitude 78°55'40" W.); within 2 miles either side of the Myrtle Beach VOR 039° radial extending from the 5-mile radius zone to 10 miles NE of the VOR, and within 2 miles either side of a line between the Myrtle Beach AFB and the Conway RBN.

8. In § 71.171, the Vero Beach, Fla., control zone is amended to read:

Vero Beach, Fla.

Within a 5-mile radius of Vero Beach Municipal Airport (latitude 27°39'15" N., longitude 80°24'55" W.).

9. In § 71.171, the Glenview, Ill., control zone is amended to read:

Glenview, Ill.

Within a 5-mile radius of NAS Glenview (latitude 42°05'21" N., longitude 87°49'07" W.); within a 1-mile radius of Chicagoland Airport, Wheeling, Ill. (latitude 42°11'35" N., longitude 87°56'05" W.) and within 2 miles either side of the Northbrook, Ill., VORTAC 138° and 159° radials extending from the Glenview 5-mile and the Chicago-O'Hare, Ill., 6-mile radius zones to the VORTAC, excluding the portion within the Chicago-O'Hare control zone.

10. Section 71.123 is amended as follows:

In V-213, "R-6607" is deleted and "R-4008" is substituted therefor.

11. Section 71.203 "Grand Isle, La., RBN", "Bellingham, Wash., RR", "Pendleton, Oreg., RR", "Baker, Oreg., RR", "Boise, Idaho, RR", "Burley, Idaho, RR", "Ellensburg, Wash., RR", "Yakima, Wash., RR", "Chicago Heights, Ill.; V-7, V-51, V-97, V-177, V-126, V-8 W bound, V-92 W bound, V-819.", "Naperville, Ill.; V-6, V-8, V-10.", "Malden, Miss.", "Fort Bridger, Utah", and "Parker, Ariz." are deleted and "Chicago Heights, Ill.", "Naperville, Ill.", "Malden, Mo.", "Rewey, Wis.", "Chesterfield, S.C.", "Raymond, Nebr.", "Lexington, Ky.", "Fort Bridger, Wyo.", and "Parker, Calif." are added.

12. In § 71.207 "Kennebunk, Maine" is deleted.

13. Section 71.151 is amended by adding the following:

R-3803 Fort Polk, La.

R-3804A Fort Polk, La.

14. Section 71.171 the Lawton, Okla., control zone is amended to read:

Lawton, Okla.

Within a 5-mile radius of Lawton Municipal Airport (latitude 34°34'15" N., longitude 98°24'55" W.) and within a 3-mile

radius of latitude 34°38'18" N., longitude 98°24'06" W.; excluding the portion within R-5601A. The portion of this control zone within R-5601B shall be used only after obtaining prior approval from appropriate authority.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on December 6, 1962.

CLIFFORD P. BURTON,
Chief,
Airspace Utilization Division.

[F.R. Doc. 62-12243; Filed, Dec. 10, 1962;
8:50 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 62-SW-33]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

PART 608—SPECIAL USE AIRSPACE

Alteration of Restricted Area, Revocation and Designation of Restricted Area, and Alteration of Continental Control Area

The purpose of these amendments to §§ 608.38 and 601.7101 of the regulations of the Administrator is to return to public use special use airspace not now required by the Department of the Army. In order to accomplish this, the boundaries of R-3803, Fort Polk, La., are slightly modified so that the area more accurately conforms to the military reservation and the maximum designated altitude of R-3803 is lowered from 50,000 feet MSL to 29,000 feet MSL. R-3804, Fort Polk, La., is revoked and redesignated as two separate areas, R-3804A and R-3804B, with a decrease in overall size of approximately 60 square miles. The maximum designated altitude of existing R-3804 is lowered from 50,000 feet MSL to 29,000 feet MSL in R-3804A and to 3,000 feet MSL in R-3804B. R-3803 and R-3804A are included in the continental control area. The inclusion of some small areas not heretofore designated as restricted airspace will not adversely affect aeronautical operations.

The Department of the Army has stated that all activities conducted in existing R-3803 and R-3804 can be contained in the modified R-3803, R-3804A and R-3804B as described herein.

Since these amendments reduce a burden on the public, compliance with the notice, public procedure and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary and they may be made effective upon publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following actions are taken:

1. In § 608.38 Louisiana (27 F.R. 7341) the Fort Polk, La., Restricted Area R-3803 is amended to read:

R-3803 Fort Polk, La.

Boundaries. Beginning at latitude 31°23'36" N., longitude 93°09'57" W.; to latitude 31°23'12" N., longitude 93°09'48" W.; to latitude 31°22'00" N., longitude 93°10'05" W.; to latitude 31°19'16" N., longitude 93°11'10" W.; to latitude 31°19'16" N., longitude 93°20'15" W.; to latitude 31°24'30" N., longitude 93°20'15" W.; to latitude 31°24'30" N., longitude 93°16'42" W.; to latitude 31°23'35" N., longitude 93°13'24" W.; to point of beginning.

Designated altitudes. Surface to 29,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency New Orleans, Louisiana, ARTC Center.

Using agency. Commanding General, Fort Polk, Louisiana.

2. In § 608.38 Louisiana (27 F.R. 7341) the Fort Polk La. Restricted Area R-3804 is revoked.

3. In § 608.38 Louisiana (27 F.R. 7341) the following are added:

R-3804A Fort Polk, La.

Boundaries. Beginning at latitude 31°00'52" N., longitude 93°08'11" W.; to latitude 31°00'52" N., longitude 92°56'52" W.; to latitude 31°00'19" N., longitude 92°56'13" W.; to latitude 31°00'19" N., longitude 92°54'22" W.; to latitude 31°03'54" N., longitude 92°51'33" W.; to latitude 31°09'34" N., longitude 92°58'24" W.; to latitude 31°09'34" N., longitude 93°00'55" W.; to latitude 31°08'42" N., longitude 93°01'54" W.; to latitude 31°08'42" N., longitude 93°08'11" W.; to point of beginning.

Designated altitudes. Surface to 29,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency New Orleans, Louisiana, ARTC Center.

Using agency. Commanding General, Fort Polk, Louisiana.

R-3804B Fort Polk, La.

Boundaries. Beginning at latitude 31°00'52" N., longitude 93°10'52" W.; to latitude 31°00'52" N., longitude 93°08'11" W.; to latitude 31°06'10" N., longitude 93°08'11" W.; to latitude 31°04'14" N., longitude 93°12'30" W.; to point of beginning.

Designated altitudes. Surface to 3,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency Alexandria, Louisiana, Flight Service Station.

Using agency. Commanding General, Fort Polk, Louisiana.

In the text of 601.7101 (26 F.R. 1399) the following are added:

R-3803 Fort Polk, La.

R-3804A Fort Polk, La.

These amendments shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on December 5, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-12179; Filed, Dec. 10, 1962;
8:45 a.m.]

Title 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

[Order No. 255; Docket No. R-222]

PART 1—RULES OF PRACTICE AND PROCEDURE

PART 3—ORGANIZATION

Miscellaneous Amendments; Correction

OCTOBER 5, 1962.

In F.R. Doc. 62-9577, appearing at page 9499 of the issue for Wednesday, September 26, 1962, the following corrections are made:

a. The amendatory language immediately preceding § 1.7(b) should read as follows:

1. Section 1.7(b) is amended by inserting the word "waiver", to follow the word "amendment", wherever it appears in the first sentence of the paragraph and by inserting a new sentence immediately following the first sentence.

b. In § 3.5(a) (9), the word "formal" should be deleted.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-12180; Filed, Dec. 10, 1962;
8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

1-Naphthyl N-Methylcarbamate; Tolerances for Residues

A petition was filed with the Food and Drug Administration by Union Carbide Corporation, 270 Park Avenue, New York 17, New York, proposing an increase in the tolerances for residues of 1-naphthyl N-methylcarbamate from 25 parts per million to 100 parts per million in or on corn fodder and corn forage.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which tolerances are being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerances established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic

Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR 120.169; 27 F.R. 6327) are amended by deleting the item beginning "25 parts per million" and by changing the item "100 parts per million * * *" to read as follows:

§ 120.169 Tolerances for residues of 1-naphthyl N-methylcarbamate.

100 parts per million in or on alfalfa, alfalfa hay, bean forage, bean hay, clover, clover hay, corn fodder, corn forage, cotton forage, cowpea forage, cowpea hay, grass, grass hay, peanut hay, rice straw, sorghum forage, soybean forage, soybean hay, sugar beet tops.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: December 4, 1962.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 62-12205; Filed, Dec. 10, 1962; 8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

SANITIZING SOLUTIONS

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 409, 701, 52 Stat. 1055 as amended, 72 Stat. 1785; 21 U.S.C. 343, 371), and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.2547(b) (21 CFR 121.2547; 27 F.R. 8759; 9721) is amended as set forth below, to provide for consistency of the existing food additive regulation with a prior sanction existing under the Poultry Products Inspection Act (21 U.S.C. 451) before the en-

actment of the Food Additives Amendments of 1958. The amendment provides for an adjustment of the total levels of chlorine and/or bromine used as sanitizing solutions in food-processing plants.

§ 121.2547 Sanitizing solutions.

(b) The solutions contain potassium, sodium, or calcium hypochlorite and may also contain the bromides of potassium, sodium, or calcium, and as used, provide not more than 200 parts per million of total available halogen of which not more than 100 parts per million is bromine.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Secs. 409, 701, 52 Stat. 1055 as amended, 72 Stat. 1785; 21 U.S.C. 343, 371)

Dated: December 4, 1962.

GEO. P. LARRICK,
Commissioner of Foods and Drugs.

[F.R. Doc. 62-12206; Filed, Dec. 10, 1962; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER W—AIR FORCE PROCUREMENT INSTRUCTION

MISCELLANEOUS AMENDMENTS TO SUBCHAPTER

Subchapter W of Title 32 is amended as follows:

PART 1001—GENERAL PROVISIONS

In Part 1001—General Provisions, the following amendment is made:

In Subpart I—Responsible Prospective Contractors:

At 27 F.R. 11761, November 29, 1962, the amendment of § 1001.902-2(e) is corrected to read: "§ 1001.902-1(e)."

PART 1007—CONTRACT CLAUSES

In Part 1007—Contract Clauses, the following amendment is made:

In Subpart LL—Basic Agreements Provisions:

Revise § 1007.3802-1 to read as follows:

§ 1007.3802-1 Basic agreement.

The term "basic agreement" is defined in § 3.410(a) of this title.

In Subpart XX—Clauses for Food Service Contracts:

Revise § 1007.5003-25 to read as follows:

§ 1007.5003-25 Utilization of small business concerns.

Insert the clause in § 1.707-3 of this title.

PART 1010—BONDS AND INSURANCE

In Part 1010—Bonds and Insurance, the following amendment is made:

In Subpart C—Insurance; General:

§ 1010.300 [Deletion]

1. Delete § 1010.300.

2. Section 1010.303 is revised to read as follows:

§ 1010.303 Responsibility for loss of or damage to Government property.

For additional clauses covering these responsibilities see § 1007.602-51 (Construction Contracts) and § 1007.2703-2 of this subchapter (Facilities Contracts).

PART 1012—LABOR

In Part 1012—Labor, the following amendment is made:

Subpart H—Nondiscrimination in Employment, is deleted and reserved.

PART 1013—GOVERNMENT PROPERTY

In Part 1013—Government Property, the following amendment is made:

A new Subpart B is added as follows:

Subpart B—Material

§ 1013.200 Scope of subpart.

Special nuclear material furnished as Government property will not be deemed controlled by the use of such terms as "standard commercial or industrial practices" in the contract. Separate and detailed control procedures will be developed by the contractor for such property and will be consistent with the requirements of the Air Force and the Atomic Energy Commission with respect to controls for health, safety, security, and accountability. The approval of such procedures will be preceded by coordination with the cognizant representatives of ARDC, including WADD. Upon approval, copies of the procedure will be furnished Hq ARDC, attn: Assistant for Aircraft Nuclear Propulsion, and the procedure will be incorporated in the contract by appropriate contract provision. (See § 1013.553.)

In Subpart E—Contract Clauses:

Add new § 1013.551 as follows:

§ 1013.551 Emergency bailment to civil aircraft or military contract carrier.

Emergency bailment agreements will be used in the emergency bailment of

RULES AND REGULATIONS

aircraft engine(s) and/or major components as applicable to civil aircraft or military contract carriers by AF bases.

In Subpart X—Facility Expansion Procedure:

A new paragraph (s) is added to § 1013.2403-2; and in the introductory paragraph, the letter "r" is amended to read "s."

§ 1013.2403-2 Contractor's formal application for facilities.

(s) *Royalties charge data.* Applications for facilities which contemplate an expenditure estimated to be in excess of \$10,000 and the payment of a royalty charge in excess of \$250 will contain the information required by § 1003.101-50(a). All facilities applications of an estimated cost in excess of \$10,000 for which royalties are estimated at less than \$250 will contain a statement of that fact. In applying this provision only royalties to be reimbursed under the facilities contract or other contract under which the facilities are to be provided will be considered.

PART 1053—CONTRACTS; GENERAL

In Part 1053—Contracts; General, the following amendments are made:

In Subpart C—Commitment and Obligation of Funds:

§ 1053.316 [Deletion]

Delete § 1053.316.

In Subpart D—Administrative Requirements:

§§ 1053.404-3; 1053.406-4 [Deletion]

1. Delete §§ 1053.404-3 and 1053.406-4.
2. In § 1053.404-5(b), revise subparagraphs (1) and (13) as follows, and in paragraph (c) delete subparagraphs (2) and (3).

§ 1053.404-5 Geographical areas of CMRs, AFCMDs and AFPROs.

* * * * *

(b) * * *

(1) *Atlanta AF Contract Management District (ECMR).* Georgia, South Carolina, North Carolina, Alabama, and Mississippi.

* * * * *

(13) *Ogden Air Procurement District (WCMR).* Utah, Idaho, Montana, Wyoming, and Colorado.

3. Subpart E—Review and Approval of Awards and Contracts, is deleted.

In Subpart L—Bills of Materials:

§ 1053.1203 [Deletion]

Delete § 1053.1203.

Subpart R—Preparation and Use of Certain Kinds of Base Procurement Contracts, is deleted.

In Subpart T—Family Housing Projects:

§§ 1053.2002; 1053.2003 [Deletion]

Delete §§ 1053.2002 and 1053.2003.

PART 1054—CONTRACT ADMINISTRATION

In Part 1054—Contract Administration, the following amendments are made:

In Subpart A—Administration of AF Contracts by Contracting Officers:

Revise § 1054.104(n) and (x)(2) as follows:

§ 1054.104 Matters of contract administration to be handled by Administrative Contracting Officers.

* * * * *

(n) Report all litigation involving a CPFF contractor to the Office of the Judge Advocate General, Hq USAF, as required by §§ 837.1 to 837.5, Subchapter C of this chapter. Confer with his staff judge advocate as required.

* * * * *

(x) * * *

(2) Negotiate and approve priced exhibits covering calls against open contracts; however, any priced exhibit exceeding \$100,000 will be subject to review and administrative approval prior to distribution.

In Subpart B—Secondary Administration:

§ 1054.204 [Amendment]

In § 1054.204, paragraph (c) is deleted. Subpart F—Administration of Progress Payments, is deleted.

Subpart G—Contract Change Releases, is deleted.

Subpart I—Wage and Salary Acceptance, is deleted.

Subpart J—Notice of Transfer of Procurement Responsibility for an Existing Contract, is deleted.

In Subpart O—Preparation and Issuance of Shipping Instructions:

§§ 1054.1500; 1054.1501 [Deletion]

Delete §§ 1054.1500 and 1054.1501.

In Subpart S—Performance Data on MPSA Contractors:

Revise § 1054.1901 as follows:

§ 1054.1901 Applicability of subpart.

This subpart applies to contract management regions (CMRs).

Subpart T—Supervision of Factory Training Courses, is deleted.

In Subpart U—Work Request Procedures for Over and Above Work on Maintenance, Overhaul and Modification Contracts:

§ 1054.2104 [Amendment]

In § 1054.2104, paragraph (d) is deleted.

Subpart V—Debts Owed by Contractors; Deferred Payments, is deleted.

In Subpart Y—Losses, Damages, or Destruction of Government Property in Possession of Contractors Under Military Suspense Accounting:

§ 1054.2503 [Amendment]

In § 1054.2503(d), delete the last sentence.

In Subpart Z—Interim Billing Prices and Refunds for Incentive and Price Re-determination Contracts:

§ 1054.2604 [Amendment]

In § 1054.2604(b), delete the phrase "as required by Subpart F of this part."

A new Subpart AA is added as follows:

Subpart AA—Special Bank Accounts for Advance Payments

Sec.

1054.2702 Definition.

1054.2703 Supervision of special bank accounts.

1054.2704 Withdrawals for purpose of making subadvances to subcontractors.

1054.2705 Importance of close attention to special bank accounts.

1054.2706 Change in contractor's ability to perform contract.

1054.2707 Use of advance payments under terminated contracts.

1054.2708 Liquidation of advance payments.

AUTHORITY: §§ 1054.2702 to 1054.2708 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 2301-2314.

§ 1054.2702 Definition.

For the purpose of this subpart, "Financial Branch" means the Financial Branch, Hq AFSC (ASXKMF), W-PAFB, Ohio, or the Office of Procurement, Hq OAR (RRK), when applicable.

§ 1054.2703 Supervision of special bank accounts.

(a) *Appointment of contracting officer.* When requested by the Financial Branch, an appropriate appointing official will designate a contracting officer to administer each special bank account established with respect to contracts under his administrative jurisdiction. The name of each contracting officer so designated will be reported to the Financial Branch. Within OAR the Director of Procurement, Hq OAR, will designate a contracting officer to supervise the bank account.

(b) *Requests for advance payment moneys by contractors.* The ACO will determine that requests for additional advances into the bank account from the contractor conform to requirements.

(c) *Duties of contracting officers.* The duties of the designated contracting officer in connection with the supervision of withdrawals from special bank accounts are as follows:

(1) All checks covering withdrawals from advance payment accounts will be countersigned by him unless otherwise provided in the contract.

(2) He will notify the depository bank in writing that all withdrawals will be subject to countersignature by him and will place with the bank specimens of his signature with a request that they be acknowledged.

(3) He will notify the contractor of the procedure to be followed in effecting withdrawals from the advance-payment account.

(4) He will maintain daily running accounts of advance payments. He will require the contractor to furnish duplicate copies of all deposit slips for deposits made in the special bank account pursuant to the requirements of the contract, and copies of monthly bank state-

ments showing the condition of the account.

(5) The contractor may request withdrawal of funds for anticipated cash requirements, and to the extent agreed upon by the contracting officer, for expenditures already made or obligations already incurred in connection with performance of the contract. Anticipated requirements should be for the shortest practicable period and will be supported by a statement showing in detail the proposed use of the funds. If the requested withdrawal is for expenditures already made or obligations already incurred, supporting data satisfactory to the contracting officer will be required. Such statements and data will be retained by the contracting officer in his files.

(6) If, after expenditure of the advance payment funds, it is determined that the funds were expended for an improper purpose, the contracting officer will make demand on the contractor for immediate redeposit in the special account of the amount improperly used. If the amount is not so restored, the amount thereof will be deducted from the next requisition for withdrawal submitted by the contractor and the contractor will be charged the full amount approved as contemplated by subparagraph (5) of this paragraph.

(7) In the event of termination of the contract, the contracting officer will determine whether the unliquidated balance of advance payments exceed the total amount to be paid under the contract, including the contractor's own termination charges and termination charges of subcontractors.

(i) If the unliquidated balance of advance payments does not exceed the total amount to be paid under the contract, including termination charges, the contracting officer will permit withdrawal as provided for in the contract and according to this subpart.

(ii) If the contracting officer determines that the unliquidated balance of advance payments exceeds the total amount to be paid under the contract, including the contractor's own termination charges and those of subcontractors, he will so advise the Financial Branch (see § 1054.2708(b)(2)).

§ 1054.2704 Withdrawals for purpose of making subadvances to subcontractors.

(a) Withdrawals for the purpose of making subadvances to subcontractors may be included in the amounts which may be advanced to the contractor if the contract involved specifically provides for such subadvances, and if the subcontractor has been approved under normal procedures. Withdrawals from special accounts for subadvances are subject to the rules in § 1054.2703. For the purposes of this subpart a "subcontractor" is a contractor or vendor who performs work for, or furnishes material, supplies, or equipment to a prime contractor.

(b) Unless other security is furnished, the subcontract or purchase order must contain, as security for the repayment of the subadvances, covenants expressly

made for the benefit of the Government providing for a subspecial account with Government lien thereon and for a Government lien on property purchased with funds advanced under such subcontract or purchase order, and must impose upon the subcontractor substantially the same obligations as are provided in the prime contract in connection with the contractor's advance payments.

(c) If the prime contractor arranges for the subcontractor to furnish other security rather than providing in the subcontract or purchase order for a special bank account, the contracting officer will not undertake to determine whether such security is adequate. (See paragraph (f) of this section.) However, if the contracting officer is of the opinion that the prime contractor's financial condition is such that the Government is not assured that he will be able to liquidate amounts advanced, he will bring the matter to the attention of the Financial Branch, through channels.

(d) Normally, withdrawals from special accounts established for subcontractors will not require countersignature by the contracting officer. However, whenever the contracting officer believes that the financial condition of the prime contractor or subcontractor is such that supervision of withdrawals from the subcontractors special bank account is desirable, he will notify the Financial Branch, through channels, and will not authorize the subadvance until clearance has been obtained.

(e) When necessary, contracting officers will be designated to supervise the special account of a subcontractor. They will permit withdrawals from such special account according to the principles for withdrawals by prime contractors from their special accounts.

(f) Approval of subadvances by a prime contractor to a subcontractor or for the withdrawal by a subcontractor of advance payments from its special account does not constitute a waiver or release of the liability of the prime contractor to the Government for the advance payments involved.

§ 1054.2705 Importance of close attention to special bank accounts.

Close attention by the contracting officer to the discharge of his duties in connection with special bank accounts will facilitate administration of the contract and avoid unnecessarily large withdrawals from the account. Close coordination will be maintained with audit personnel engaged in auditing expenditures under the contract for the purpose of verifying expenditure of funds withdrawn from special accounts.

§ 1054.2706 Change in contractor's ability to perform contract.

The ACO will follow the procedures in § 1030.5, paragraph E-216 of this subchapter with respect to any known change in the contractor's technical or financial ability to perform the contract.

§ 1054.2707 Use of advance payments under terminated contracts.

(a) The AF activity responsible for the issuance of notices of termination (for the convenience of the Government)

(see Subpart B, Part 8 of this title) will notify the ACO promptly of each partial or total termination of a contract under which advance payments are outstanding, so that the latter may be fully informed in connection with any further withdrawals. Withdrawals from special advance payment bank accounts under contracts terminated for contractor's default will be stopped immediately.

(b) If a contract is terminated for the convenience of the Government, the ACO may continue to exercise supervision over the special bank account or such responsibility may be assigned to a termination contracting officer (TCO) who will notify the bank of the change and will take the other actions required by § 1054.2703. If the TCO is other than the ACO, the latter will maintain close coordination with the former and will furnish whatever information is requested.

(c) Copies of all notices of termination of contracts, both partial and complete, whether for convenience of the Government or for default of the contractor under contracts having advance payments outstanding will be sent to the Financial Branch.

(d) In cases of terminated contracts, both partial and complete, under contracts having advance payments, the TCO responsible for settlement will advise the Financial Branch through channels of the status of the advance payment account when circumstances warrant.

§ 1054.2708 Liquidation of advance payments.

(a) Liquidation of advance payments will be made according to the terms of the contract. Under certain circumstances, contractors are obligated to make repayment upon demand. The authority for making such demands has been delegated to the contracting officer in the Financial Branch. Except as provided in paragraph (b)(5) of this section, or as specifically authorized in a particular case by the Deputy for Procurement, Hq AFSC, or the Director of Procurement, Hq OAR, demand for repayment of advance payments will not be made by other contracting officers.

(b) Demands will be made whenever the contracting officer deems them advisable. Demands will be made under the following circumstances and according to the terms of the contracts:

(1) If the balance of advance payments in the special bank account exceeds current needs, demand will be made for repayment of the excess. If the excess is the result of a partial or total termination for the convenience of the Government, demand will not be made without coordination with the TCO assigned settlement responsibility.

(2) If the unliquidated balance of advance payments exceeds the unpaid portion of the contract price, demand will be made for repayment of the excess.

(3) If upon completion of a contract and after final audit of accounts thereunder the amount due the contractor is insufficient to cover any balance of advance payments due the Government, demand will be made for payment of the deficiency in cash. In the case of a contract terminated for the convenience of

the Government, the TCO will determine the amount due under the terminated portion of the contract.

(4) If a contract is terminated for the convenience of the Government and the contracting officer in the Financial Branch has reason to believe that deductions should be made from payment due the contractor under the contract to secure the liquidation in full of the advance payments even though final audit of accounts has not been made, he will inform the TCO handling the settlement of the contract. If both parties agree, the accounting and finance officer will be requested to make proper withholdings of amounts due the contractor for the purpose of liquidating the advance payment.

(5) Notices of default termination affecting contracts under which advance payments are outstanding will include a demand that the contractor immediately repay to the Government, without setoff, the unliquidated balance of outstanding advance payments, if any, plus accumulated and unpaid interest, if any, made to him under the contract.

(c) All contracting officers administering advance payment accounts and all TCOs will bring to the attention of the Financial Branch any case in which, in their opinion, demand should be made upon a contractor for the return of all or any portion of the outstanding balance of advance payments.

(d) Copies of all demands on contractors for repayment of advance payments will immediately be forwarded by the contracting officer in the Financial Branch to the appropriate accounting and finance officer. In addition, such contracting officer will immediately call to the attention of the accounting and finance officer any case where contractors have failed to comply with their obligations to repay advance payments to the Government.

In Subpart CC—Processing of Claims Under Cost-Reimbursement Type Contracts:

§ 1054.2909 [Amendment]

1. In § 1054.2909(e), delete the parenthetical phrase in the last line.
2. Revise § 1054.2910(b) to read as follows:

§ 1054.2910 Cost-reimbursement type subcontracts, audits, and billings.

(b) The ACO should advise the contractor or subcontractor who let the cost-reimbursement type subcontract of his responsibility for the proper performance of the subcontract and the financial settlement with the subcontractor. While the prime contractor's or upper-tier subcontractor's responsibility for a proper financial settlement includes the obligation to perform an adequate audit of the subcontractor, in appropriate circumstances (see § 1003.903-55(b)) audit of the subcontract by a military department auditor will be preferable or advisable. Adherence to this policy will insure consistent treatment of subcontractor's costs, reduce duplicate auditing of the same records by two or more groups of auditors, and reduce the

costs incurred by the prime contractor in performance of subcontract audits.

3. Revise § 1054.2912(c) as follows to delete the reference therein:

§ 1054.2912 Suspensions and disallowances.

(c) * * * If the ACO decides not to withdraw his disallowance, he will at that time prepare and process a formal statement of findings and decision under the Disputes clause. Whenever the contractor neither replies within the time prescribed in the DD Form 396, nor requests an extension, the ACO may presume the contractor's concurrence and, unless further word is later received from the contractor, take no further action.

Subpart DD—Administration of Base Procurement Contracts, is deleted.

A new Subpart EE is added as follows:

Subpart EE—Contractor Preparation of DD Form 250, "Material Inspection and Receiving Report"

Sec.

- 1054.3100 Scope of subpart.
- 1054.3101 Applicability of subpart.
- 1054.3102 Purpose.
- 1054.3103 Procedures and responsibilities.

AUTHORITY: §§ 1054.3100 to 1054.3103 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 2301-2314.

§ 1054.3100 Scope of subpart.

This subpart establishes procedures to be followed whenever a contract contains the clause in § 7.105-7 of this title which requires the contractor to prepare the DD Form 250.

§ 1054.3101 Applicability of subpart.

This subpart applies to all AF central procurement and contract administration activities.

§ 1054.3102 Purpose.

This subpart defines the manner and extent of preparation (§ 7.105-7 of this title) required by the contracting officer when the contractor prepares the DD Form 250.

§ 1054.3103 Procedures and responsibilities.

(a) The contracting officer will require the contractor to prepare DD Form 250 (or comparable form) for shipment of items of material for the military supply system.

(b) Contractors will furnish on the mailed consignee and accounting and finance copies of DD Form 250 the value of Government-furnished material (GFM) included in the shipment of each supply item. This value should be shown separately under the description and identified as the amount of GFM. Reference AMC Supplement 1 to AFR 70-14 (Material Inspection and Receiving Report). While it is not mandatory that other copies of the DD Form 250 be priced, there is no prohibition against all copies bearing the price of the GFM. The price of GFM will be determined from the price shown on the Government invoices or shipping documents (refer-

ence par 6, sec 4, vol I, AFM 67-1) or the price in USAF supply stock lists. When an AFD has not furnished an item price for GFM as required by paragraph 6, section 4, AFM 67-1, the contractor will request a price through appropriate AFPRO or APD. If the item price is not made available by the Government, the contractor will be relieved of entering such price on the DD Form 250 and will indicate N/A for not available. Items excluded from the foregoing requirements are drawings, blueprints, technical reports and similar items, missiles, aircraft complete, and experimental, developmental or research items as defined in § 1003.211 of this subchapter and AFR 80-6 (Classification of AF Equipment).

(c) DD Form 250 for items to be delivered to Army and Navy agencies from AF contracts will be prepared by the contractor and the prices included thereon will be required by AFR 70-14, as supplemented.

PART 1055—SPARE PARTS

In Part 1055—Spare Parts:

Subpart F—Review of Documents Establishing Prices for Support Items, is deleted.

PART 1057—REPORTS

In Part 1057—Reports, the following amendments are made:

Subpart C is revised to read as follows:

Subpart C—Systems of Assigning and Reporting Aircraft, Guided Missile, Ballistic Missile and Target Drone Serial Numbers

§ 1057.302 Requirements.

All aircraft and target drones, including production and experimental models, and all missiles and drones procured from any source and assigned USAF model designations, will be assigned AF serial numbers. This will include aircraft procured under the Military Assistance Program, the Reimbursable Aid Program, and Navy Programs, and any other aircraft not covered in these programs, for which the Air Force has support responsibilities. USAF serial numbers will also be assigned to all Army aircraft procured for the Army by the Air Force or Navy, or by Army direct from manufacturers. Serial numbers will be assigned to flyable static test articles for convenience only and will be cancelled upon arrival of the articles for static tests. For the purpose of this subpart, guided and ballistic missiles will be limited to those in the current WM USAF Guided Missile Production Schedule.

Subpart S—Bailed and Government Furnished Property Aircraft Test and Utilization Monthly Report (AFPI Form 9), is deleted.

Subpart W—Report of Effectiveness of Labor Law Enforcement on Air Force Contracts, is deleted.

In Subpart KK—Financial Management Report:

1. In § 1057.3703, paragraph (d) is revised to read as follows:

§ 1057.3703 Coverage of the DD Form 1097.

(d) The clause entitled "Financial Management Report," reference §§ 1007.-204-52 and 1007.403-54 of this subchapter will be included in all cost type contracts in excess of \$25,000 face value. (\$100,000 limitation for nonprofit (educational) institutions.)

§ 1057.3704 [Amendment]

2. In § 1057.3704(e), the period after the word "report," in line 2 is amended to a comma.

PART 1059—AIRCRAFT AND GFAP PROCUREMENT

In Part 1059—Aircraft and GFAP Procurement, the following amendments are made:

In Subpart B—Use of Production Aircraft in Emergencies and Control of Flight Test and Demonstration Flights:

In § 1059.201, paragraphs (a) and (b) (1) are revised as follows:

§ 1059.201 Use of production aircraft in emergencies.

(a) *Definitions.* Production aircraft are defined in paragraph 2d(2), AMCR 83-1, January 26, 1960.

(b) *Policy.* (1) The Director of Procurement and Production, Hq AMC, may authorize the use of a production aircraft for emergency flights on official business, provided suitable permanently assigned aircraft are not available. Authorization will be granted for specific cases and only for emergency matters of limited duration. Requests for such authorization should be directed to AMC(MCP), Wright-Patterson AFB, Ohio.

In Subpart F—Special Procurements: Sections 1059.601 and 1059.602 are revised to read as follows:

§ 1059.601 Applicability of subpart.

This subpart applies to AFSC and AFMC procuring activities who are concerned with the procurement, production, and support of training equipment for all systems, procurement of external fuel tanks, and procurement of petroleum products in connection with AF contracts.

§ 1059.602 Procurement of training equipment.

(a) *Definitions.* (See section D, part 1, volume I, AFM 67-1.)

(b) *Policy.* The normal practice will be to procure all training equipment on a competitive basis to the greatest extent economically and technically feasible.

(1) Training equipment common to more than one system and Flight Simulators will normally be procured as Category II per AFR 70-9 (Airborne Weapon System and Support System Procurement).

(2) The appropriate category of procurement, as defined in AFR 70-9, for those training equipments peculiar to a specific system, will be determined after receipt of contractor's training equipment planning information or performance specification according to MIL-D-27382. Such training equipment will not be purchased as Category I except as provided for in AFR 70-9.

(3) Where the use of Category I procurement is unavoidable, due to economic, technical, and other compelling considerations, the use of "make-or-buy," § 3.902 of this title, is to be implemented to the maximum extent possible. Each individual training device must be identified and each be subject to a "make-or-buy" decision. For example, within a mobile training unit, each individual trainer will be subject to a "make-or-buy" decision. Where the decision is "buy," every effort is to be put forth to require the prime contractor to achieve optimum competition. In no event should a decision to "make" be approved by the Air Force where it represents an expansion of the prime's facilities at Government expense while adequate facilities already exist elsewhere in industry.

(c) *Procedures.* (1) The cognizant procuring office will require system prime contractors to submit training equipment planning information prepared according to applicable specifications beginning with and as a part of the systems technical proposals. The contractor will also be required to provide estimated costs associated therewith including initial spares and supporting technical data.

(2) Qualitative and quantitative requirements: (See AFR 375-4 (System Program Documentation), AFL 375-5 (Planning and Programming for System Personnel), and AFR 50-19 (Management of Training Equipment).)

(3) Configuration changes: (See AFR 65-3 (Configuration Management), AFR 50-19, and AFR 57-4 (Modification/Modernization of Systems and Equipment).)

(i) According to instruction contained in ANA Bulletin 390A, weapon systems prime contractors will be required to automatically indicate by addendum to weapon systems ECPs any instance wherein the ECP also affects the supporting training equipment. This pertains only to changes recommended for incorporation on the training equipment while it is in production.

(ii) Changes to training equipment not in support of a specific system will be accomplished in accordance with AFR 50-19 and AFR 57-4.

A new Part 1060 is added as follows:

PART 1060—BALLISTIC MISSILE AND SPACE SYSTEM PROGRAMS**Subpart A—Mission Support Equipment, Supplies and Services for Ballistic Missile Site Activation Task Forces (SATAF)**

Sec.	
1060.100	Scope of subpart.
1060.101	Applicability.
1060.102	General.
1060.103	Manner of acquisition.

AUTHORITY: §§ 1060.100 to 1060.103 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 2301-2314.

§ 1060.100 Scope of subpart.

This subpart establishes policy and procedures for providing mission support

equipment, supplies, and/or services for Ballistic Missile Site Activation Task Forces (SATAF).

§ 1060.101 Applicability.

This subpart applies to all SATAFs, AFPROs, and AFCMDs having administrative responsibility for contracts performed at SATAF locations.

§ 1060.102 General.

SATAF activities are exempted from preparation and maintenance of unit allowance lists (UALs) for mission support equipment. SATAF requirements for mission support equipment, supplies, and/or services will be filled as subsequently set forth herein. The provisions of § 30.2 of this title, will govern the control of all property provided the integrating contractor to support the SATAF mission, with the exception of temporary support items which are furnished by the base on a loan basis.

§ 1060.103 Manner of acquisition.

All reasonable equipment, supplies, and/or services necessary for the safety and convenience of SATAF personnel in the performance of their duties will normally be provided through the contractor from the following sources:

(a) Transfer from the host base supply channels.

(b) Acquisition by the integrating contractor or furnished as GFP under the contractor's facilities contract.

(c) Acquisition by the integrating contractor under a CPFF supply contract containing a permissive clause recognizing costs related to SATAF support as allowable costs under the contract.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 2301-2314)

By order of the Secretary of the Air Force.

WILLIAM L. KOCH,
Lieutenant Colonel, U.S. Air
Force, Chief, Special Activities Group, Office of The
Judge Advocate General.

[F.R. Doc. 62-12176; Filed, Dec. 10, 1962; 8:45 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS**Chapter II—Forest Service, Department of Agriculture****PART 213—ADMINISTRATION OF LANDS UNDER TITLE III OF THE BANKHEAD-JONES FARM TENANT ACT BY THE FOREST SERVICE****National Grasslands**

By virtue of the authority vested in the Secretary of Agriculture § 213.1(e), Title 36, of the Code of Federal Regulations is hereby amended and supplemented by the addition of the following land utilization projects to those therein listed:

State and project name	Number	Counties
Texas:		
Boggy Creek.....	TX-LU-22	Hemphill.
McClellan Creek.....	TX-LU-24	Gray.

(50 Stat. 526, 7 U.S.C. 1011(f))

Done at Washington, D.C., this 6th day of December 1962.

[SEAL] JOHN A. BAKER,
Assistant Secretary.

[F.R. Doc. 62-12221; Filed, Dec. 10, 1962;
8:48 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration PART 17—MEDICAL

Miscellaneous Amendments

1. In § 17.30, paragraph (o) is amended to read as follows:

§ 17.30 Definitions.

(o) *Chief medical officer.* The term "chief medical officer" means the medical officer in charge of the parent outpatient clinic of the regional office territory in which the clinic is located (i.e., the Director of a separate Veterans Administration outpatient clinic; the Director of the clinic of a regional office (including the Veterans Benefits Office, D.C.); or Chief, Outpatient Service, at a hospital with which an outpatient clinic of a regional office has been consolidated.)

2. In § 17.36, paragraphs (a) and (b) (1) (ii) are amended to read as follows:

§ 17.36 Eligibility for hospital care and medical services in foreign countries.

(a) *Eligibility in foreign countries other than the Philippines.* No person shall be entitled to receive hospital or domiciliary care or medical services who resides in a foreign country other than the Philippines, except as provided in subparagraphs (1) and (2) of this paragraph.

(1) Hospital care or medical services for otherwise eligible veterans who are citizens of the United States sojourning or residing abroad and in need of treatment for an adjudicated service-connected disability.

(2) Hospital care or medical services for persons pursuing a course of vocational rehabilitation under 38 U.S.C. ch. 31 who are in need of treatment to avoid interruption of such training or to hasten return to training of a veteran in interrupted or leave status when a cessation of instruction has become necessary because of illness, injury, or a dental condition. (38 U.S.C. 1506)

(b) *Eligibility in the Philippines.* (1) Hospital care may be furnished:

(ii) Persons pursuing a course of vocational rehabilitation under 38 U.S.C.

ch. 31 who are in need of treatment to avoid interruption of such training or to hasten return to training of a veteran in interrupted or leave status when a cessation of instruction has become necessary because of illness or injury. (38 U.S.C. 1506)

(72 Stat. 1114; 38 U.S.C. 210)

These regulations are effective December 11, 1962.

[SEAL] W. J. DRIVER,
Deputy Administrator.

[F.R. Doc. 62-12217; Filed, Dec. 10, 1962;
8:48 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2831]

[Sacramento 059132, 062024]

CALIFORNIA

Opening Lands Under Federal Power Act

Opening lands under section 24 of the Federal Power Act (DA-971; DA-986):

1. The Federal Power Commission has determined that the value of the following-described lands withdrawn in proposed Project No. 334, will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended:

MOUNT DIABLO MERIDIAN

T. 15 N., R. 9 E.,
Sec. 36, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$
and SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

Containing approximately 35 acres.

2. The lands are situated in Placer County, near Colfax, California.

3. Subject to any valid existing rights and equitable claims, the requirements of applicable law, rules and regulations, and the provisions of any existing withdrawals, the lands are hereby opened to filing of applications, selections, and locations in accordance with the following:

(a) Until 10:00 a.m. on June 5, 1963, the State of California shall have (1) a preferred right of application to select the lands described in paragraph 1 of this order in accordance with the provisions of subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and (2) a preferred right to apply for the reservation to the State or to any of its political subdivisions under any statute or regulation applicable thereto, of any of the lands required for a right-of-way for a public highway or as a source of materials for the construction and maintenance of

such highways, in accordance with the provisions of section 24 of the Federal Power Act, as amended.

(b) All valid applications and selections under the nonmineral public land laws other than any from the State of California presented at or prior to 10:00 a.m. on January 9, 1963, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

4. Any disposals of the lands described in this order shall be subject to the provisions of section 24 of the Federal Power Act, supra, as specified by the Federal Power Commission in its determinations.

5. The lands have been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws, subject to the provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

6. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims, must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, California.

DECEMBER 4, 1962.

JOHN A. CARVER, JR.,
Assistant Secretary of the Interior.

[F.R. Doc. 62-12188; Filed, Dec. 10, 1962;
8:46 a.m.]

[Public Land Order 2832]

[669102]

WYOMING

Partly Revoking Stock Driveway Withdrawal

By virtue of the authority contained in section 10 of the act of December 29, 1916 (39 Stat. 862; 43 U.S.C. 300) as amended, it is ordered as follows:

1. The departmental order of December 9, 1918 creating Stock Driveway Withdrawal No. 51, Wyoming No. 9, is hereby revoked so far as it affects the following-described lands:

SIXTH PRINCIPAL MERIDIAN

T. 55 N., R. 102 W.,
Sec. 23, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$.

Containing 120 acres.

2. This revocation is made in furtherance of an exchange under section 8 of the act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315 g) as amended, by which the offered lands will assist in a federal land program. This restoration is therefore not subject to the provision contained in Subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 852).

JOHN A. CARVER, JR.,
Assistant Secretary of the Interior.

DECEMBER 4, 1962.

[F.R. Doc. 62-12189; Filed, Dec. 10, 1962;
8:46 a.m.]

[Public Land Order 2833]

[Utah 086645]

UTAH

Partly Revoking Executive Order No. 7211 of October 24, 1935

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Executive Order No. 7211 of October 24, 1935 so far as it withdrew the following described public lands for use by the Department of Commerce in the maintenance of air-navigation facilities, is hereby revoked:

SALT LAKE MERIDIAN

T. 3 N., R. 3 W.,
Sec. 8, NW¼.

Containing approximately 160 acres.

2. Until 10:00 a.m. on June 5, 1963, the State of Utah shall have a preferred right of application to select the lands as provided by subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852). On and after that date and hour the lands shall become subject to application, petition, location and selection generally, including locations under the U.S. mining laws for nonmetalliferous minerals subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications except preference right applications from the State, received at or prior to 10:00 a.m. on June 5, 1963, shall be considered as simultaneously filed at that time.

Inquiries should be addressed to the Manager, Land Office, Bureau of Land Management, Salt Lake City, Utah.

JOHN A. CARVER, Jr.,

Assistant Secretary of the Interior.

DECEMBER 4, 1962.

[F.R. Doc. 62-12190; Filed, Dec. 10, 1962;
8:46 a.m.]

[Public Land Order 2834]

ALASKA, COLORADO AND NEVADA
Correcting Certain Public Land Orders; Amending Public Land Order No. 2771 of September 6, 1962

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

(Anchorage 056148)

1. In F.R. Doc. 62-10429, appearing as Public Land Order No. 2787 in the issue of October 19, 1962, at page 10257, the land description of a portion of Section 28 appearing as "E½, NW¼, S½ SW¼NW¼" is hereby corrected to read "E½NW¼, E½SW¼NW¼".

(Colorado 023758)

2. In F.R. Doc. 61-4726, appearing as Public Land Order No. 2390, in the issue of May 23, 1961, at pages 4427-8, the

land description for the Bear Creek Campground Area (Survey Suspended), appearing as "T. 9 S., R. 80 W., Sec. 10, SE¼SE¼" is hereby corrected to read "T. 9 S., R. 81 W., Sec. 10, SE¼SE¼, exclusive of patented H.E.S. 340".

(Nevada 047448)

3. In F.R. Doc. 62-10428, appearing as Public Land Order No. 2786, in the issue of October 19, 1962, at Pages 10256-7, the land description appearing as "T. 42 N., R. 58 E." is hereby corrected to read "T. 47 N., R. 58 E.".

(Nevada 058078)

4. The description of the lands withdrawn by Public Land Order No. 2771 of September 6, 1962 (27 F.R. 9062), for use of the Atomic Energy Commission, is hereby amended to read as follows:

MOUNT DIABLO MERIDIAN

T. 16 N., R. 32 E.,
Secs. 33 and 34.

T. 15 N., R. 32 E. (unsurveyed):

Beginning at the southeast corner of Sec. 34, T. 16 N., R. 32 E.;

Thence west along the southerly line of said Sec. 34, 5,287.43 feet, to the southwest corner of said Sec. 34;

Thence west along the southerly line of Sec. 33, T. 16 N., R. 32 E., 5,280 feet;

Thence south, 5,280 feet;

Thence east, 10,567.43 feet;

Thence north, 5,280 feet, to the southeast corner of said Sec. 34 to the true point of beginning, and located in Secs. 3, 4, 5, 8, 9, and 10, as shown on Nevada Protraction Diagram No. 10, Unit No. 56, approved March 23, 1962.

Containing approximately 2,560 acres.

JOHN A. CARVER, Jr.,

Assistant Secretary of the Interior.

DECEMBER 4, 1962.

[F.R. Doc. 62-12191; Filed, Dec. 10, 1962;
8:46 a.m.]

[Public Land Order 2835]

ALASKA

Revoking Certain Air Navigation Site Withdrawals; Air Navigation Sites No. 168 and No. 242

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U.S.C. 214), it is ordered as follows:

1. The departmental order of November 5, 1941, establishing Air Navigation Site Withdrawal No. 168 and Public Land Order No. 576 of March 29, 1949, adding land thereto, are hereby revoked, so far as they affect the following-described lands:

ANCHORAGE AREA

SEWARD MERIDIAN

(ANCHORAGE 026432)

T. 13 N., R. 3 W.,

Sec. 28, SW¼NE¼, NW¼NW¼, N½NE¼ NW¼SW¼, N½NW¼NE¼SW¼, N½ SE¼ and S½NW¼.

The areas described, including the public and nonpublic lands, aggregate approximately 250 acres.

2. Until 10:00 a.m. on March 6, 1963, the State of Alaska shall have a preferred right to select the public lands released

from withdrawal by paragraph 1, above, as provided by the act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b), and section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), and the regulations in 43 CFR Part 76. This order shall not otherwise become effective to change the status of the lands until 10:00 a.m. on March 6, 1963. At that time the lands shall be open to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10:00 a.m. on March 6, 1963, shall be considered as simultaneously filed at that time.

(Anchorage 051856)

3. The departmental order of October 22, 1947, as amended by order of the Bureau of Land Management dated July 17, 1951, which withdrew a tract of land at Igiugig, Alaska, containing approximately 154 acres, as Air Navigation Site Withdrawal No. 242, is hereby revoked. The lands have been conveyed to the State of Alaska.

Inquires concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Anchorage, Alaska.

JOHN A. CARVER, Jr.,

Assistant Secretary of the Interior.

DECEMBER 4, 1962.

[F.R. Doc. 62-12192; Filed, Dec. 10, 1962;
8:46 a.m.]

[Public Land Order 2836]

[Colorado 027843]

COLORADO

Partly Revoking Public Land Order No. 1960 of August 24, 1959, Which Withdrew Lands for Use of Forest Service as a Natural Area

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Public Land Order No. 1960 of August 24, 1959, which withdrew certain lands in the San Juan National Forest for use of the Forest Service, Department of Agriculture, as a natural area for scientific study and observation, is hereby revoked so far as it affects the following described-lands:

NEW MEXICO PRINCIPAL MERIDIAN

SAN JUAN NATIONAL FOREST

Naraguinnep Natural Area

T. 40 N., R. 16 W.,

Sec. 19, SE¼NE¼NE¼, SE¼SW¼NE¼ and SE¼SE¼SW¼;

Sec. 20, E½SE¼ and SW¼SE¼;

Sec. 21, S½NW¼NW¼, SW¼NW¼, NW¼ SW¼ and W½SW¼SW¼;

Sec. 28, NW¼NW¼NW¼;

Sec. 29, NE¼, E½NW¼, W½NE¼SW¼, N½SW¼SW¼ and SW¼SW¼SW¼;

Sec. 30, SW¼NW¼;

Sec. 31, N½SW¼NE¼, SW¼SW¼NE¼ and W½NE¼SW¼.

T. 39 N., R. 17 W.,

Sec. 1, Lots 12, 14, NE¼SW¼ and SW¼ SW¼;

Sec. 2, Lot 7;

Sec. 11, Lots 1, 2 and NW¼NE¼.

T. 40 N., R. 17 W.,
Sec. 25, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and
SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, Lots 5 and 7;
Sec. 36, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described aggregate 1,188.96 acres.

At 10:00 a.m. on January 9, 1963, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

DECEMBER 4, 1962.

[F.R. Doc. 62-12193; Filed, Dec. 10, 1962;
8:46 a.m.]

[Public Land Order 2837]

COLORADO

Power Site Cancellation No. 151; Partly Revoking Power Site Classification No. 110; Opening Lands Under Section 24 of Federal Power Act

By virtue of the authority contained in the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and in section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to the determinations of the Federal Power Commission, docketed as DA-421 and DA-436, Colorado, it is ordered as follows:

1. The Departmental order of June 24, 1925, creating Power Site Classification No. 110, is hereby cancelled so far as it affects the following-described lands:

(Colorado 064392)

NEW MEXICO PRINCIPAL MERIDIAN

T. 45 N., R. 12 W.,
Sec. 20, SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$
SE $\frac{1}{4}$.

The areas described aggregate approximately 160 acres of patented land.

2. In DA-421 and DA-436, Colorado, the Federal Power Commission determined that the value of the following-described lands withdrawn for power purposes will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act, as amended:

DA-421

(Colorado 064392)

SIXTH PRINCIPAL MERIDIAN

T. 1 N., R. 80 W.,
Sec. 9, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
SW $\frac{1}{4}$, and SE $\frac{1}{4}$.

NEW MEXICO PRINCIPAL MERIDIAN

T. 46 N., R. 15 W.,
Sec. 19, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 45 N., R. 12 W.,
Sec. 20, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$,
SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$.

DA-436

(Colorado 045111)

NEW MEXICO PRINCIPAL MERIDIAN

T. 48 N., R. 12 E.,
Sec. 31, lot 6.

The areas described aggregate approximately 1,367 acres.

3. Subject to any valid existing rights, the requirements of applicable law, rules and regulations, and the provisions of any existing withdrawals, the lands described in paragraph 2 of this order are hereby opened to filing of applications, selections, and locations in accordance with the following:

(a) Until 10:00 a.m. on June 5, 1963, the State of Colorado shall have (1) a preferred right of application to select the lands in accordance with subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and (2) a preferred right to apply for the reservation to it or to any of its political subdivisions under any statute or regulation applicable thereto, of any of the lands required for a right-of-way for a public highway or as a source of materials for the construction and maintenance of such highways, in accordance with the provisions of section 24 of the Federal Power Act.

(b) All valid applications and selections under the nonmineral public land laws other than preference-right applications from the State presented at or prior to 10:00 a.m. on January 9, 1963, will be considered as simultaneously filed at that hour. Rights under such application and selections filed after that hour will be governed by the time of filing.

4. Any disposals of the lands described in paragraph 2 of this order shall be subject to the provisions of section 24 of the Federal Power Act, supra, as specified by the Federal Power Commission in its determination.

5. The lands have been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws subject to the provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Denver, Colorado.

JOHN A. CARVER, Jr.,
Secretary of the Interior.

DECEMBER 4, 1962.

[F.R. Doc. 62-12194; Filed, Dec. 10, 1962;
8:46 a.m.]

[Public Land Order 2838]

[Montana 051604]

MONTANA

Adding Lands to the Helena National Forest

By virtue of the authority vested in the President by section 1 of the act of July 20, 1939 (53 Stat. 1071; 16 U.S.C. 471b), and pursuant to Executive Order

No. 10355 of May 26, 1952, it is ordered as follows:

The boundaries of the Helena National Forest are hereby extended to include the following described public lands, and subject to existing valid rights, the lands are hereby added to and made a part of the said national forest and hereafter shall be subject to all laws and regulations applicable thereto:

PRINCIPAL MERIDIAN

T. 12 N., R. 8 W.,
Sec. 33, lot 4.

Containing 40.11 acres.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

DECEMBER 5, 1962.

[F.R. Doc. 62-12195; Filed, Dec. 10, 1962;
8:47 a.m.]

[Public Land Order 2839]

[Oregon 010351]

OREGON

Modification of Power Withdrawals To Permit Grant of Highway Right of Way

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, and other authority vested in the Secretary of the Interior, and pursuant to the determination of the Federal Power Commission docketed as DA-499-Oregon, it is ordered as follows:

1. The Executive Orders of July 2, 1910, and October 30, 1916, establishing Power Site Reserves No. 125 and No. 561, respectively, and the Departmental order of June 13, 1933, creating Power Site Classification No. 274, are hereby modified to the extent necessary to permit the grant of a highway right-of-way made by section 2477, United States Revised Statutes (43 U.S.C. 932) to become effective as to those portions of the following described lands delineated on a map filed with the Bureau of Land Management by the Oregon State Game Commission as a part of its application Oregon 010351, and designated "De Chutes Railroad Co., Map of Constructed Line, M.P. 0 to M.P. 46.84, April 1925," as supplemented by surveyed offsets shown on Plates 1 and 2 of Map 1116, attached thereto:

WILLAMETTE MERIDIAN

T. 3 S., R. 14 E.,
Sec. 13, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 14, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 23, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 35, E $\frac{1}{2}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 2 S., R. 15 E.,
Sec. 13, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 23, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 26, E $\frac{1}{2}$ W $\frac{1}{2}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 27, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 3 S., R. 15 E.,

Sec. 3, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 4, lots 1, 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and
S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 7, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 17, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 18, lots 1, 2, 3, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, and
NE $\frac{1}{4}$ SE $\frac{1}{4}$.

2. In DA-499-Oregon, the Federal Power Commission modified the existing power withdrawal for proposed Project No. 142 so far as it pertains to the lands described in paragraph 1 of this order, to the extent necessary to permit the grant of the said highway right-of-way to become effective as to the lands, subject to the condition that in the event the lands are required for purposes of power development by the United States, its licensees or permittees, the Oregon State Game Commission, its transferee or assignee shall relocate at its own expense so much of the highway as may be found necessary to avoid interference with such power development.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

DECEMBER 5, 1962.

[F.R. Doc. 62-12196; Filed, Dec. 10, 1962;
8:47 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 62-1229]

PART 0—COMMISSION ORGANIZATION

Administration of the Disaster Communications Service

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 28th of November 1962;

The Commission having under consideration its Order (FCC-62-936) adopted September 5, 1962, which among other things transferred the functions pertaining to the Amateur Radio Service within the Safety and Special Radio Services Bureau from the Public Safety Radio Division to the Amateur and Citizens Radio Division; and

It appearing that the transfer of the functions pertaining to the Disaster Communications Service from the Pub-

lic Safety Radio Division to the Amateur and Citizens Radio Division would promote greater efficiency in the operations of the Commission's Safety and Special Radio Services Bureau and would serve the public interest; and

It further appearing that authority for such internal organization and functional change is contained in sections 4(i) and 5 of the Communications Act of 1934, as amended, and that such change is not subject to the prior notice and effective date provisions of section 4 of the Administrative Procedure Act;

It is ordered, That, effective November 28, 1962, within the Safety and Special Radio Services Bureau the functions pertaining to the Disaster Communications Service are transferred from the Public Safety Radio Division to the Amateur and Citizens Radio Division; and

It is further ordered, That, effective November 28, 1962, Part 0—Commission Organization is amended as set forth below to reflect the change ordered herein.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply sec. 5, 66 Stat. 713; 47 U.S.C. 303, 155)

Released: December 6, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

1. Section 0.68 is amended to read as follows:

§ 0.68 Public Safety Radio Division.

The Public Safety Radio Division is responsible for all functions indicated in the statement contained in § 0.61, insofar as such functions pertain to the public safety radio services, except for enforcement matters (§ 0.65).

2. Section 0.70 is amended to read as follows:

§ 0.70 Amateur and Citizens Radio Division.

The Amateur and Citizens Radio Division is responsible for all functions indicated in the statement contained in § 0.61, insofar as such functions pertain to the amateur and the citizens radio services, the disaster communications service, and the radio amateur civil emergency service, except for enforcement matters (§ 0.65).

[F.R. Doc. 62-12223; Filed, Dec. 10, 1962;
8:49 a.m.]

[Docket No. 13860; FCC 62-1276]

PART 3—RADIO BROADCAST SERVICES

Television Broadcast Stations; Table of Assignment; Memorandum Opinion and Order

In the matter of amendment of § 3.606 Table of assignments, Television Broadcast Stations (Superior, Kearney, Albion, and Terrytown, Nebraska, and others); Docket No. 13860.

1. The Commission, on November 8, 1962, adopted a Report and Order in this proceeding which, inter alia, amended the Television Table of Assignments to assign Channel 21 to Chanute, Kansas, for non-commercial educational use. The assignment of Channel 21 to Chanute required the deletion of Channels 21- and 20 at Ottawa and Independence, Kansas, respectively. No other television channels are now assigned to Ottawa and Independence.

2. Interest in the assignment of television channels to Ottawa and Independence has come to the attention of the Commission, and since UHF channels may be readily assigned in this area, we have determined to reconsider our Report and Order of November 8, 1962 to the extent of assigning Channel 67 to Independence, Kansas, and Channel 70 to Ottawa, Kansas.

3. In view of the foregoing: It is ordered, That effective January 11, 1963, Section 3.606(b) of the Commission's Rules is amended to add the following entries under the State of Kansas:

City	Channel No.
Ottawa, Kans.	70
Independence, Kans.	67

4. Authority for the action taken herein is found in section 1.16 of the Commission's rules and sections 4(i), 303(r), and 307(b) of the Communications Act of 1934, as amended.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

By the Commission; Commissioner Hyde absent.

Adopted: December 5, 1962.

Released: December 6, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-12224; Filed, Dec. 10, 1962;
8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 52]

CANNED GRAPEFRUIT JUICE

Proposed Amendment of Standards for Grades

Notice is hereby given that the U.S. Department of Agriculture is considering amending the United States Standards for Grades of Canned Grapefruit Juice (7 CFR 52.1191-52.1203) pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627).

The proposed action would apply to canned grapefruit juice produced from grapefruit grown in Florida and Texas only. It would increase the minimum Brix-acid ratio in U.S. Grade A unsweetened canned grapefruit juice from 7.0 to 1 to a minimum of 7.5 to 1.

NOTE: Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable state laws and regulations.

Statement of consideration leading to the proposed amendments. The matter of establishing suitable minimum brix-acid ratios for canned grapefruit juice has been given careful consideration by the Department and industry over a long period of time. As a result of industry marketing experience, its recommendations and Department studies, adjustments in these limits have been made a number of times since Grade Standards for Canned Grapefruit Juice were first issued.

The proposal would require a higher minimum Brix-acid ratio for canned grapefruit juice produced from Florida and Texas fruit. This would make necessary the use of more mature, less tart, grapefruit. This proposal is in the interest of improved flavor in U.S. Grade A and of better consumer acceptance.

The proposal is made at the request of the Florida canned grapefruit juice packers who produce approximately 85 percent of the U.S. pack. Since Texas grapefruit is very similar in brix and acid to that grown in Florida, it is proposed that the increased ratio requirement would also apply to grapefruit produced in that State.

Recognizing the intrinsic differences, particularly in the brix-acid ratios, between grapefruit produced in Florida and Texas, and that produced in Arizona and California, no changes in the minimum brix-acid ratio are proposed for canned grapefruit juice produced in the latter two States.

All persons who desire to submit written data, views, or arguments for consideration in connection with the pro-

posed amendment should file the same with the Chief, Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington 25, D.C., not later than 30 days after publication hereof in the FEDERAL REGISTER.

The proposed amendment is as follows:

Subdivision (iii) of § 52.1199(a) (1) is revised to read as follows:

(iii) Brix-acid ratio: Not less than 8 to 1 nor more than 14 to 1: *Provided, That—*

(a) When the juice has a Brix of 9.5° or more, the Brix-acid ratio may be not less than 7.5 to 1; or

(b) When the juice has a Brix of 10.5° or more, the Brix-acid ratio may be not less than 7 to 1, except that when the canned grapefruit juice is produced from grapefruit grown in Florida and Texas the Brix-acid ratio may be not less than 7.5 to 1.

(Secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627)

Dated: December 6, 1962.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 62-12218; Filed, Dec. 10, 1962; 8:48 a.m.]

Agricultural Stabilization and Conservation Service

[7 CFR Parts 1032, 1050, 1063]

[Docket Nos. AO-339, AO-313-A3, AO-105-A14]

MILK IN CENTRAL ILLINOIS, SUBURBAN ST. LOUIS AND QUAD CITIES-DUBUQUE MARKETING AREAS

Notice of Extension of Time for Filing Exceptions to the Recommended Decision on Proposed Marketing Agreement and Order and Proposed Amendments to Tentative Marketing Agreements and Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that the time for filing exceptions to the recommended decision with respect to the proposed marketing agreement and order regulating the handling of milk in the Central Illinois marketing area and proposed amendments to the tentative marketing agreements and to the orders regulating the handling of milk in the Suburban St. Louis and Quad Cities-Dubuque marketing areas, which was issued November 13, 1962 (27 F.R.

11369), is hereby extended to December 21, 1962.

Dated: December 6, 1962, Washington, D.C.

CHARLES S. MURPHY,
Under Secretary.

[F.R. Doc. 62-12219; Filed, Dec. 10, 1962; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition has been filed by Dow Chemical Company, Midland, Michigan, proposing the establishment of tolerances for residues of sodium o-phenylphenate expressed as o-phenylphenol in or on raw agricultural commodities, as follows:

20 parts per million in or on carrots and plums.

10 parts per million in or on cucumbers and peppers (bell).

The analytical method proposed in the petition for determining residues of o-phenylphenol is the method described in the FEDERAL REGISTER of November 13, 1959 (24 F.R. 9240), with minor modifications, including elimination of the cyclohexane extraction step.

Dated: December 3, 1962.

ROBERT S. ROE,
Director, Bureau of
Biological and Physical Sciences.

[F.R. Doc. 62-12202; Filed, Dec. 10, 1962; 8:47 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that petitions (FAP 980, 981) have been filed by Elanco Products Company, Division of Eli Lilly and Company, Indianapolis 6, Indiana, and Dawes Laboratories, Inc., 4800 South Richmond Street, Chicago 32, Illinois, respectively, proposing the issuance of a regulation to provide for the safe use of 10 milligrams of diethylstilbestrol per

head per day in feed for fattening beef cattle.

The basic analytical method proposed by the Commissioner for tissue residue examination consists of the determination of the hormone activity by the mouse uterine weight method of E. J. Umberger, G. H. Gass, and J. M. Curtis, published in *Endocrinology*, Vol. 63, page 806 (1958).

Dated: November 30, 1962.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 62-12203; Filed, Dec. 10, 1962;
8:47 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 990) has been filed by Micro Nutrients, Inc., 201 Lynn Street, Atlantic, Iowa, proposing the issuance of a regulation to provide for the safe use of 12.5 pounds of ferrous fumarate per ton of feed for sows during lactation to prevent anemia in the suckling pigs.

Dated: December 4, 1962.

WINTON B. RANKIN,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 62-12204; Filed, Dec. 10, 1962;
8:47 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 294]

[Docket No. 14194]

INDIRECT AIR TRANSPORTATION FOR THE DEFENSE DEPARTMENT

Notice of Proposed Rule Making

DECEMBER 6, 1962.

Notice is hereby given that the Civil Aeronautics Board is proposing a new Part 294 of the Board's Economic Regulations which would authorize, by exemption under section 101(3) of the Act, certain air freight forwarding activities by certain persons transporting personal effects of Defense Department personnel. The principal features of the proposed regulation are explained in the explanatory statement and the proposed rule. This regulation is proposed under the authority of sections 204(a) and 101(3) of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 737; 49 U.S.C. 1324, 1301).

Interested persons may participate in the proposed rule making through submission of ten (10) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington 25, D.C. All relevant matter in communications received on or before January 9, 1963, will be considered by the Board

before taking final action on the proposed amendments. Upon receipt by the Board, copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 711, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory statement. Military and civilian personnel of the Department of Defense frequently are required to move their homes from one location to another, sometimes on short notice. In such cases, prompt and competent moving of the household effects of such personnel is important in permitting the Department the flexibility which it requires and as a morale factor. In the case of movements between the United States mainland and points outside thereof it is often desirable to forward such shipments across the ocean by air. Persons who undertake to transport such shipments from origin to destination and to forward them part of the way via direct air carriers become subject to the provisions of the Federal Aviation Act of 1958 as indirect air carriers.

The Defense Department has advised the Board that it is desirable to utilize the services of motor common carriers, surface freight forwarders licensed by the ICC, and forwarders of used household goods who are exempted from ICC regulation, for the handling of such shipments.

The proposed regulation would authorize these carriers by exemption under section 101(3) of the Act to perform for the Defense Department the services of transporting household goods of Defense Department personnel between points in the 48 contiguous states, on the one hand, and points outside thereof, on the other hand, by integrated surface-air movements on Government bills of lading, forwarding the shipments over the air transportation portion of the journey via an authorized U.S. flag direct air carrier or foreign air carrier. The persons exempted pursuant to this regulation would not require any further authorization from the Board nor would they have to file tariffs with the Board. They would be permitted to consolidate the shipments they forward by air, to engage in joint loading and to charter aircraft. They would be exempted from the requirement of an air carrier operating certificate as are forwarders under Parts 296 and 297 of the Board's Regulations. Direct air carriers would handle such shipments like any others. As to further detail the Proposed Rule is self-explanatory.

Since the decision on the issues in Air Freight Forwarder Authority—Motor Carrier Applicants, Docket 12193, may affect the eligibility for freight forwarder authority of many persons receiving authority under this Regulation, the proposed rule would provide for its expiration 60 days after final disposition of said proceeding unless the Board has ordered otherwise. Nothing herein pre-judges any issue in Docket 12193.

PART 294—INDIRECT AIR TRANSPORTATION FOR THE DEPARTMENT OF DEFENSE

Sec.	
294.1	Purpose and scope.
294.2	Definitions.
294.5	Exemption.
294.6	Conditions and limitations.
294.10	Expiration.

§ 294.1 Purpose and scope.

This part applies to freight forwarders as defined in section 402(a)(5) of the Interstate Commerce Act, as amended, 49 U.S.C. 1002; persons exempted from the provisions of Part IV of the Interstate Commerce Act as forwarders only of used household goods pursuant to section 402(b)(2) of said Act; and common carriers by motor vehicle as defined in section 203(a)(14) of said Act, 49 U.S.C. 303, who enter into contracts with the Department of Defense for the transportation by integrated air-ground movement on Government bills of lading of personal effects and/or household goods of military and civilian personnel of the Department of Defense between points in the contiguous 48 States on the one hand and points in Alaska or Hawaii or overseas or foreign points on the other hand, by forwarding or transporting such shipments part of the way via surface transportation and forwarding them part of the way via direct carriers authorized by the Board to carry such shipments. This part does not modify the authority held by any air carrier, foreign air carrier, air freight forwarder or international air freight forwarder.

§ 294.2 Definitions.

As used in this part: "Household goods" means used household goods, not for resale; "Personal effects" means wearing apparel, cosmetics, and toilet articles, used, not for resale.

§ 294.5 Exemption.

Subject to the other provisions of this part, the persons referred to in § 294.1 are hereby relieved to the extent necessary to perform the transportation services described in § 294.1 without further authorization from the Board, from the following provisions of the Federal Aviation Act of 1958, as amended:

- (a) Sections 401, 403, 404, 407, 408, 409 and 412 of Title IV; and
- (b) Section 610(a)(4) of Title VI.

§ 294.6 Conditions and limitations.

The authority herein conferred shall not extend to the transportation of persons or mail, or of property other than that described herein, or to transportation where the points of origin and destination of the integrated movement are both within the contiguous 48 States. Nothing herein shall authorize direct air carriers to carry such traffic otherwise than pursuant to tariff rates and rules, and the persons exempted herein shall, in all respects, be treated as shippers in their relationship to direct air carriers. The authority herein granted does not authorize any person to directly engage in the operation of aircraft in air transportation.

§ 294.10 Expiration.

(a) This part shall expire 60 days after the order of the Board terminating the proceeding in Air Freight Forwarder Authority—Motor Carrier Applicants, Docket 12193, becomes final, unless the Board determines otherwise. The Board reserves the right to rescind this part or any provision thereof at any time, with or without notice or hearing, as the public interest may require.

(b) The transportation services performed pursuant to the authorization granted in this part do not constitute an activity of a continuing nature within the meaning of section 9(b) of the Administrative Procedure Act, 5 U.S.C. 1008(b).

[F.R. Doc. 62-12216; Filed, Dec. 10, 1962; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 6]

[Regulatory Docket No. 1512; Draft Release No. 62-52]

ROTORCRAFT AIRWORTHINESS; NORMAL CATEGORY

Turbine-Powered Rotorcraft

Pursuant to the authority delegated to me by the Administrator (§ 11.45, 27 F.R. 9585), notice is hereby given that there is under consideration a proposal to amend Part 6 of the Civil Air Regulations to include airworthiness requirements specifically related to turbine-powered rotorcraft.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room A-103, 1711 New York Avenue, NW., Washington 25, D.C. All communications received on or before February 11, 1963, will be considered by the Administrator before taking action upon the proposed rules. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available in the Docket Section for examination by interested persons at any time.

This proposal is subject to the FAA Recodification Program. The final rule, if adopted, may be in a recodified form; however, the recodification itself will not alter the substantive contents proposed herein.

The Flight Standards Service has under consideration amendments of Part 6 of the Civil Air Regulations in recognition of the use of turbine engines in normal category rotorcraft. New requirements are necessary for turbine-powered rotorcraft to insure that the general level of safety presently intended by Part 6 is retained.

Section 6.116 requires that the range of heights and speeds be determined within which it is not possible to make a safe landing in autorotation. From this and other related requirements, a height-velocity envelope is established

to inform the pilot of critical heights and speeds to be avoided during takeoff and in sustained powered flight.

In determining the heights and speeds for safe landings following power failure, it has been the general practice in the past to conduct tests only at one field elevation. The height-velocity envelope derived therefrom was established for sea level conditions and assumed to be applicable over the range of operating altitudes. Because the range of operating altitudes of the early helicopters was limited by performance, the effect of altitude on the height-velocity envelope was not considered to be significant.

Since 1956, tests have been conducted at relatively high field elevations to determine the effect of altitude on the height-velocity envelope and to permit comparison of performance at high and low field elevations. Several of these tests resulted in accidents. The characteristics of the height-velocity envelope were determined to be sufficiently different at altitude that considerable weight reduction was necessary to obtain an envelope similar to that for sea level conditions.

The current rules do not preclude altitude accountability in the determination of the limiting heights and speeds for safe landing. However, in view of the foregoing, it is proposed to clarify § 6.116 by including therein specific reference to altitudes and weights. It is also proposed that the limiting heights and speeds for safe landing following power failure be determined, and the height-velocity envelope established, at maximum certificated weight and at weights and corresponding altitudes selected by the applicant. The applicant may, therefore, establish the height-velocity envelope which represents optimum and realistic performance for the particular helicopter type. In addition, information on the height-velocity envelope, which is necessary for safe low speed operations, will be available to the pilot.

Conjoined with the aforementioned provisions, § 6.111 requires demonstration of a takeoff procedure such that, at the maximum certificated weight, a landing can be made safely at any point along the flight path in the event of an engine failure. It follows, therefore, that the takeoff flight path must be outside the height-velocity envelope established in accordance with the provisions of § 6.116. Section 6.111 requires a demonstration of the takeoff procedures only at the maximum certificated weight. It does not specifically require that the provisions for safe landing are necessary at maximum weight for all altitudes. It is proposed, therefore, to clarify § 6.111 by including a provision requiring a showing that a safe landing can be made following a power failure during takeoff, at maximum certificated weight at sea level, and for other weights and corresponding altitudes selected by the applicant, up to the maximum altitude anticipated for takeoffs and landings.

Section 6.113(b) prescribes a minimum hovering ceiling, for helicopters, of not less than 4,000 feet under standard atmospheric conditions and at maximum weight. The turbine engine is consider-

ably more sensitive to the effects of ambient temperature in developing power than is the reciprocating engine. As a result, ambient temperatures higher than the standard atmospheric conditions will impair the hovering performance of turbine-powered helicopters to a greater degree than in the case of helicopters equipped with reciprocating engines. Therefore, establishment of the minimum hovering ceiling in compliance with § 6.113(b) does not necessarily insure an overall level of hovering performance for turbine-powered helicopters equivalent to reciprocating-engine-powered helicopters under the same temperature conditions.

From an analysis of hovering performance data of helicopters equipped with sea level reciprocating engines, it appears that reasonable equivalence in overall hovering capabilities can be obtained if turbine-powered helicopters possess hovering capability at a pressure altitude of 2,500 feet and a temperature of standard plus 40° F. Therefore, it is proposed to require the application of this criterion to turbine-powered helicopters by amending § 6.113.

The presently effective rules do not include provisions for rapid power recovery when the power control is advanced from the idle position. For helicopters, rapid transition to powered flight is necessary for recovery following autorotation approaches, where the use of improper flare techniques close to the ground might result in an accident. Rapid power response would afford protection during autorotation training and practice, and in other landing operations.

Experience has shown that reciprocating engines can be made to respond rapidly to throttle opening. In the case of at least one turbine-powered helicopter, however, the engine manifested delayed power recovery characteristics following autorotation approaches and rejected landings. It is proposed, therefore, to amend § 6.121 by introducing a new paragraph which will require demonstration of rapid power recovery characteristics following an autorotational approach.

Section 6.251(c) presently specifies arbitrary factors to be applied to the mean torque to account for power surges on reciprocating engines. These factors vary with the number of cylinders. In § 6.251(c), it is proposed to require a factor of 1.25 on the mean engine torque to account for turbine-engine power surges under accelerated flight and landing conditions.

Presently effective § 6.120(a) requires compliance with certain provisions pertaining to rotorcraft flight characteristics. Compliance is required at all normally expected operating altitudes, under all critical loading conditions, and for all speeds, power, and rotor speed conditions for which certification is sought. Section 6.120(b) requires that it shall be possible to maintain a flight condition and to make a smooth transition from one flight condition to another without requiring an exceptional degree of skill, alertness, or strength on the part of the pilot. These requirements do not take into account explicitly any effect turbine-engine operation might have on

the execution of rotorcraft control and maneuver. It is proposed, therefore, to add to § 6.401 a provision that in establishing compliance with the provisions of § 6.120, for rotorcraft incorporating turbine engines, engine combustion flameout shall not occur nor shall compressor stall or surge affect any of the prescribed maneuvers.

Section 6.427 requires a strainer to be incorporated in the fuel system between the tank and the engine. Turbine engine fuel can contain significant quantities of dissolved and entrained water which might, under low temperature conditions, precipitate from the fuel onto the strainer. It is proposed to add to § 6.427(a) provision, for turbine engines, to require automatic maintenance of fuel flow when ice-clogging of the strainer occurs, unless means are incorporated in the fuel system to prevent the accumulation of ice particles on the strainer. This requirement is the same as the requirement which has been applied to turbine transport airplanes type certificated in accordance with Part 4b of the Civil Air Regulations, and is proposed because rotorcraft type certificated in accordance with Part 6 can be exposed to a similar environment as exists for turbine transport airplanes. Rotorcraft operated in northern latitudes can be exposed to low temperature atmosphere and the fuel temperature reduced below the freezing temperature of water. This is a situation conducive to formation of ice particles in the fuel system.

Presently effective §§ 6.450 and 6.451 deal with powerplant cooling capability and require tests to show that powerplant temperature limits can be maintained. It is proposed to arrange these requirements in the same form adopted for other parts to clarify their general applicability to turbine engine installations as well as reciprocating engine installations. It is also proposed to specify test conditions which are based on the applicable rotorcraft performance requirements. Presently effective rules require cooling capability to be shown under an anticipated hot-day temperature of 100° F. but do not establish a limitation on rotorcraft operation to ambient atmospheric temperatures not exceeding 100° F. The proposed rules would permit the applicant to select the temperature up to which cooling capability is shown and would also require the selected temperature to be established as an operating limitation for safe operation.

In conjunction with proposed changes to the cooling system requirements, it is proposed to define (in § 6.1(c)(2)) as the maximum ambient atmospheric temperature, the temperature selected by the applicant as the maximum operational limit, and to add this temperature to the powerplant limitation set forth in § 6.714. In connection with this proposal, it is necessary to add a requirement for a free air temperature indicator, to permit a determination that the maximum ambient atmospheric temperature limitation is not being exceeded. Accordingly, it is proposed to add this requirement by amending § 6.603, consistent with the same requirement in other airworthiness and operation regulations.

Presently effective §§ 6.460 through 6.463 deal with the induction and exhaust systems. Although these sections have general applicability, regardless of the type of engine used, the provisions in detail cover reciprocating engines only. In consideration of the differences in configuration, operation, and characteristics between turbine and reciprocating engines, it is necessary to add similar details covering turbine engines. Accordingly, it is proposed to amend § 6.460 to incorporate the general requirement for induction systems which is presently contained in § 6.461(a). It is proposed to amend § 6.461 to make the provision of paragraph (c), covering drains, generally applicable. Foreign object ingestion can damage turbine compressors. Service experience with military type aircraft operating from undeveloped or unclear ramp and runway areas shows that compressor damage due to foreign objects is one of the major causes of premature engine change and compressor failures. Helicopters, while operating on the ground or hovering in ground effect, produce a strong recirculation pattern of airflow through the rotor disk which is capable of lifting objects from the ground and whirling them about the helicopter. Turbine engines used in helicopters type certificated in accordance with Part 6, are lightly constructed and, therefore, are especially vulnerable to compressor damage. It is proposed, therefore, to add a provision to § 6.461, for turbine engines, to require that operation of turbine engines from idle to the start of takeoff shall not result in pebble ingestion into the induction air inlet during rotorcraft operation on a defined bed of pebbles. The objective of this proposed amendment is to protect the engine against foreign object damage and thereby avoid engine failure from this cause.

It is also proposed to amend § 6.462 by adding a clarifying provision for the protection of turbine engines in icing conditions by requiring that the engine installation shall not adversely affect the capability of the engine to operate in accordance with the provisions of § 13.210(c) of Part 13 of the Civil Air Regulations. This addition more specifically covers the effect of installation on the ice protection features of the engine than the general terms of § 6.400(b).

It is proposed to amend § 6.463 by adding a provision requiring drains for turbine engine exhaust systems to prevent the accumulation of fuel after the failure of an attempted engine start.

In consideration of the difficulty of insuring that turbine engine exhaust gases are discharged clear of rotorcraft structure, and the possible ambiguity of this requirement with respect to the provisions of § 6.304, it is proposed to delete this provision of § 6.463(b)(1) and to clarify § 6.304 by adding the provision that all parts of the rotorcraft shall be protected against deterioration or loss of strength in service due to engine exhaust gases. In this connection, the similar provision of § 6.463(b)(1), requiring that exhaust gases shall be discharged clear of cowling, is contradictory to § 6.484(d) which permits impinge-

ment of exhaust gases on cowling under certain conditions. It is proposed, therefore, to delete the word "cowling" from § 6.463(b)(1).

The currently effective provisions of § 6.485 set forth requirements for flammable fluid lines and fittings in areas subject to engine fire conditions. These requirements do not take into account that turbine engines present a greater area of hot surface than reciprocating engines and that leaking flammable fluid can easily ignite upon contact with the hot surface. Experience with turbine-powered transports shows that fluid leaks do occur occasionally and can reasonably be expected to occur as well in rotorcraft type certificated in accordance with Part 6. The requirements of § 6.463(b)(2) for separation of exhaust system and fuel system components establishes a concept of fire prevention which must be retained in the case of turbine engine installations if a comparable level of safety is to be achieved. It is proposed, therefore, to amend § 6.485 by adding a provision that lines and fittings carrying flammable fluid shall be located or shielded to prevent fluid leakage on surfaces hot enough to ignite the fluid. It is also proposed to require that flammable fluid from drains and vents be discharged clear of the induction system air inlet.

Section 6.1(g)(2)(ii) defines takeoff power for turbine engines in terms of the maximum conditions of engine rotor shaft rotational speed and gas temperature approved for normal takeoff. Section 6.1(g)(4) defines gas temperature as the temperature of the gas stream obtained as indicated in the approved engine specification. Gas temperature is a limiting condition on the development of power and is limited itself by engine operating limitations. Sections 6.604 and 6.714 are deficient in not requiring a gas temperature indicator and the establishment of gas temperature limits. It is proposed, therefore, to add such requirements to these sections.

Turboshaft engines used in rotorcraft are capable of producing brake horsepower substantially in excess of the maximum rating or that which the rotor drive system is designed to absorb. Adherence to gas temperature and r.p.m. limitations will not in all cases prevent excess brake horsepower. To prevent adverse effects upon rotorcraft and engine structure, and flight characteristics, it is necessary to establish a maximum limit upon brake horsepower. This limit requires means to be provided for the pilot to permit a determination that the brake horsepower limit is not being exceeded. It is proposed, therefore, to amend § 6.714 to require that brake horsepower limitations be established for takeoff and maximum continuous operation and to amend § 6.604 by adding a requirement for means to enable the pilot to determine the brake horsepower.

In consideration of the foregoing, it is proposed to amend Part 6 of the Civil Air Regulations (14 CFR Part 6, as amended) as follows:

1. By amending § 6.1(c)(2) to read as follows:

§ 6.1 Definitions.

(c) General design. * * *

(2) *Maximum ambient atmospheric temperature.* The maximum ambient atmospheric temperature is the temperature selected by the applicant as the maximum operational limit.

2. By amending § 6.111 to read as follows:

§ 6.111 Takeoff.

(See also §§ 6.116, 6.740, 6.742, and 6.743.)

(a) The takeoff shall be demonstrated at maximum certificated weight, forward center of gravity, and using takeoff power and takeoff r.p.m.

(b) The takeoff shall be made in a manner such that a landing can be made safely at any point along the flight path in case of an engine failure and shall not require an exceptional degree of skill on the part of the pilot or exceptionally favorable conditions.

(c) Compliance with the provisions of paragraph (b) of this section shall be shown at the maximum certificated weight under sea level conditions, and at weights selected by the applicant for altitudes up to the maximum altitude anticipated for takeoffs and landings.

(d) Pertinent information concerning the takeoff weights and altitudes shall be specified in the performance information section of the Rotorcraft Flight Manual. Information concerning the takeoff procedure, including the type of takeoff surface and appropriate climb-out airspeeds, shall be specified in the operating procedures section of the Rotorcraft Flight Manual.

3. By amending § 6.113 by redesignating paragraph (c) as paragraph (d), and by amending paragraph (b) and adding a new paragraph (c) to read as follows:

§ 6.113 Minimum operating speed performance.

(b) For reciprocating-engine-powered helicopters, the hovering ceiling at maximum weight shall be not less than 4,000 feet under standard atmospheric conditions and under operating conditions prescribed in paragraph (a) of this section.

(c) For turbine-powered helicopters, the hovering ceiling at maximum weight shall be not less than 2,500 feet pressure altitude at a temperature of standard +40° F. and under operating conditions prescribed in paragraph (a) of this section.

§ 6.116 [Amendment]

4. By amending § 6.116 by adding in the first sentence between the words "established" and "together" the words "at the maximum certificated weight and at other weights and corresponding altitudes selected by the applicant".

§ 6.121 [Amendment]

5. By amending § 6.121(a) by adding a new sentence at the end thereof to read "It shall be possible to recover promptly from a balked autorotative approach to power-on flight."

§ 6.251 [Amendment]

6. By amending § 6.251(c) by adding a new sentence at the end thereof to read "For turbine engines, the limit torque shall be obtained by multiplying the mean torque by 1.25."

7. By amending § 6.304 to read as follows:

§ 6.304 Protection.

All parts of the rotorcraft shall be protected against deterioration or loss of strength in service due to weathering, corrosion, abrasion, engine exhaust gases, or other causes, and shall be ventilated and drained to prevent the accumulation of corrosive, flammable, and noxious fluids.

8. By amending § 6.401 by adding a new paragraph (c) to read as follows:

§ 6.401 Engines.

(c) In establishing compliance with the provisions of § 6.120, for rotorcraft incorporating turbine engines, engine combustion flameout shall not occur nor shall compressor stall or surge affect any of the prescribed maneuvers.

9. By amending § 6.427 to read as follows:

§ 6.427 Fuel strainer or filter.

A fuel strainer or filter shall be installed between the fuel tank outlet and the fuel metering device of the engine and shall comply with the following provisions:

(a) The strainer or filter shall incorporate a sediment trap and drain;

(b) The strainer or filter shall be installed in an accessible position;

(c) The screen or filter element shall be easily removed for cleaning;

(d) If an engine driven fuel pump is incorporated, the strainer or filter shall be located between the fuel tank and the pump; and

(e) Provision shall be made to maintain automatically the fuel flow to turbine engines when ice-clogging of the strainer or filter occurs, unless means are incorporated in the fuel system to prevent the accumulation of ice particles on the strainer or filter.

10. By amending § 6.450 to read as follows:

§ 6.450 General.

The powerplant cooling system shall be capable of maintaining the temperatures of powerplant components and engine fluids within the temperature limits established for such components and fluids, under all surface (ground or water) and flight operating conditions. (For cooling system instruments, see §§ 6.604 and 6.734.)

11. By amending § 6.451 to read as follows:

§ 6.451 Cooling tests.

(a) *General.* Compliance with the provisions of § 6.450 shall be demonstrated by test under critical surface (ground or water) and flight operating conditions. If the tests are conducted under conditions which deviate from the

maximum ambient atmospheric temperature (see paragraph (b) of this section), the recorded powerplant temperatures shall be corrected in accordance with the provisions of paragraphs (c) and (d) of this section. The corrected temperatures determined in this manner shall not exceed the established limits. In the case of reciprocating engines, the fuel used during the cooling tests shall be of the minimum grade approved for the engines involved, and the mixture settings shall be those normally used in the flight stages for which the cooling tests are conducted. The test procedures shall be as outlined in § 6.452.

(b) *Maximum ambient atmospheric temperature.* A maximum ambient atmospheric temperature corresponding with sea level conditions shall be established by the applicant as a limitation on the operation of the rotorcraft (see § 6.714). The temperature lapse rate shall be 3.6° F. per thousand feet of altitude above sea level until a temperature of -69.7° F. is reached above which altitude the temperature shall be constant at -69.7° F.

(c) *Correction factor.* Temperatures of all powerplant components and engine fluids, except cylinder barrels, for which temperature limits have been established shall be corrected by adding the difference between the maximum ambient atmospheric temperature and the temperature of the ambient air at the time of the first occurrence of the maximum component or fluid temperature recorded during the cooling test, unless a more rational correction is shown to be applicable.

(d) *Correction factor for cylinder barrel temperatures.* Cylinder barrel temperatures shall be corrected by adding 0.7 of the difference between the maximum ambient atmospheric temperature and the temperature of the ambient air at the time of the first occurrence of the maximum cylinder barrel temperature recorded during the cooling test, unless a more rational correction is shown to be applicable.

12. By adding a new § 6.452 to read as follows:

§ 6.452 Cooling test procedures.

(a) *General.* Compliance with the provisions of § 6.450 shall be established for the takeoff, climb, minimum operating speed, and landing stages of flight which correspond with the applicable performance regulations. The cooling tests shall be conducted with the rotorcraft in the configuration and operating under the conditions which are critical relative to cooling during each stage of flight.

(b) *Temperature stabilization.* For all stages of flight, temperatures shall be stabilized under conditions from which entry is made into the stage of flight for which a test is conducted, except when the entry condition normally is not one during which component and engine fluid temperatures would stabilize. In such case, operation through the full entry condition shall be conducted prior to entry into the stage of flight for which the test is conducted in order to allow temperatures to attain their natural level at the time of entry.

During the takeoff cooling test of helicopters, the climb at takeoff power shall be preceded by a period of operation at hover during which the powerplant component and engine fluid temperatures are stabilized. A temperature shall be considered stabilized when its rate of change is less than 2° F. per minute.

(c) *Duration of test.* Cooling tests for each stage of flight shall be continued until one of the following conditions is fulfilled:

- (1) Component and engine fluid temperatures stabilize;
- (2) The stage of flight is completed;
- or
- (3) An operating limitation is reached.

13. By amending § 6.460 to read as follows:

§ 6.460 General.

The engine air induction system shall supply air as required by the engine when the rotorcraft is operated under all intended operating conditions and maneuvers.

14. By amending § 6.461 to read as follows:

§ 6.461 Air induction.

The following provisions shall apply to air induction systems:

(a) Air induction systems shall open completely outside the cowling unless the emergence of backfire flames is prevented;

(b) Air induction systems shall be provided with drains which discharge fuel clear of the rotorcraft and out of the path of exhaust flames; and

(c) Operation of turbine engines from idle to the start of takeoff shall not result in pebble ingestion into the induction air inlet when the rotorcraft is operated on a pebble bed at least 1½ inches deep, consisting of pebbles which will pass through ½-inch mesh screening but not through ⅜-inch mesh screening, and spread over an area which extends horizontally 5 feet beyond tips of the main rotor.

15. By amending § 6.462 to read as follows:

§ 6.462 Induction system protection from ice.

(a) *Reciprocating engines.*

(1) The engine air induction system shall incorporate means for the prevention and elimination of ice accumulations. Unless it is demonstrated that this can be accomplished by other means, compliance with the following heat rise provisions shall be demonstrated in air free of visible moisture at a temperature of 30° F. when the engine is operating at 75 percent of its maximum continuous power.

(2) Rotorcraft equipped with sea level engines employing conventional venturi carburetors shall have a preheater capable of providing a heat rise of 90° F.

(3) Rotorcraft equipped with sea level engines employing carburetors which embody features tending to reduce the possibility of ice formation shall be provided with a sheltered alternate source of air. The preheat supplied to this alternate air intake shall be not less than that provided by the engine cooling air downstream of the cylinders.

(4) Rotorcraft equipped with altitude engines employing conventional venturi carburetors shall have a preheater capable of providing a heat rise of 120° F.

(5) Rotorcraft equipped with altitude engines employing carburetors which embody features tending to reduce the possibility of ice formation shall have a preheater capable of providing a heat rise of 100° F., except that if a fluid deicing system is used the heat rise need not be greater than 40° F.

(b) *Turbine engines.* The installation of turbine engines shall not adversely affect the capability of the engines to operate in accordance with the provisions of § 13.210(c) of Part 13 of this chapter.

16. By amending § 6.463 to read as follows:

§ 6.463 Exhaust system.

The following provisions shall apply to exhaust systems:

(a) Provision shall be made for thermal expansion of manifolds and pipes;

(b) Provision shall be made to prevent local hot spots;

(c) Exhaust gases shall be discharged clear of the engine air intake, fuel system components, and drains;

(d) Exhaust pipes shall not be located adjacent to or under the carburetor or fuel system parts unless such parts are protected against leakage;

(e) Exhaust gases shall not impair pilot vision at night due to glare; and

(f) Turbine engine exhaust systems shall be provided with drains discharging clear of the rotorcraft in normal ground and flight attitudes to prevent the accumulation of fuel after the failure of an attempted engine start.

§ 6.485 [Amendment]

17. By amending § 6.485 by adding at the end of paragraph (a) a new sentence to read "Lines and fittings carrying flammable fluid shall be located or shielded to prevent fluid leakage on surfaces hot enough to ignite the fluid," and by adding at the end of paragraph (b) a new sentence to read "Flammable fluid from drains and vents shall be dis-

charged clear of the induction system air inlet."

18. By amending § 6.603 by adding a new paragraph (d) to read as follows:

§ 6.603 Flight and navigational instruments.

(d) Free air temperature indicator.

19. By amending § 6.604 by adding new paragraphs (n) and (o) to read as follows:

§ 6.604 Powerplant instruments.

(n) Gas temperature indicator for each turbine engine.

(o) For each turboshaft engine, means to enable the pilot to determine the brake horsepower.

20. By amending § 6.714 by deleting from the first sentence the parenthetical letter "(c)" and inserting in lieu thereof "(d)", by adding to paragraph (a) new subparagraphs (5) and (6), by adding to paragraph (b) new subparagraphs (3) and (4), and by adding a new paragraph (d) to read as follows:

§ 6.714 Powerplant limitations.

(a) *Takeoff operation.* * * *

(5) The permissible gas temperature for turbine engines over the range of operating and atmospheric conditions for which certification is sought,

(6) For turboshaft engines, the maximum horsepower approved for takeoff and the time limit upon the use of takeoff power.

(b) *Continuous operation.* * * *

(3) The permissible gas temperature for turbine engines over the range of operating and atmospheric conditions for which certification is sought.

(4) For turboshaft engines, the approved maximum continuous horsepower.

(d) *Maximum ambient atmospheric temperature.* The maximum ambient atmospheric temperature at which compliance with the cooling provisions of §§ 6.450 through 6.452 is established.

These amendments are proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776, 49 U.S.C. 1354, 1421, 1423).

Issued in Washington, D.C., on December 5, 1962.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 62-12177; Filed, Dec. 10, 1962; 8:45 a.m.]

Notices

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

DECEMBER 6, 1962.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 38065: *Iron and steel articles—Sand Springs, Okla., to Louisiana points.* Filed by Southwestern Freight Bureau, Agent (No. B-8313), for interested rail carriers. Rates on iron and steel articles, as described in the application, in carloads, from Sand Springs, Okla., to specified points in Louisiana.

Grounds for relief: Market competition.

Tariff: Supplement 297 to Southwestern Freight Bureau tariff I.C.C. 4308.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-12209; Filed, Dec. 10, 1962;
8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

OUTER CONTINENTAL SHELF OFF CALIFORNIA

Oil and Gas Lease Offer; Deletion and Correction

In F.R. Doc. 62-9835, appearing at pages 9734 to 9736, of the issue for Tuesday, October 2, 1962, the following changes should be made as they relate to deletion of tracts offered or corrected acreage entries. The tracts deleted in Morro Bay area (Map No. 5) are to be offered in a sale scheduled for March 13, 1963.

CALIFORNIA

OFFICIAL LEASING MAP, CALIFORNIA MAP NO. 1 N

(Approved November 21, 1961)

Eureka Area N-½

Tract No.	Block	Corrected acreage
Cal.-26-----	56N 40W-----	2300
Cal.-36-----	56N 41W-----	5030

12228

CALIFORNIA—Continued
OFFICIAL LEASING MAP, CALIFORNIA MAP NO. 2

(Approved November 21, 1961)

Pt. Arena Area

Tract No.	Block	Deletion or corrected acreage
Cal.-70-----	27N 31W-----	3270.
Cal.-71-----	28N 31W-----	156.
Cal.-73-----	28N 32W-----	4800.
Cal.-74-----	29N 32W-----	530.
Cal.-75-----	31N 32W-----	Delete.
Cal.-76-----	32N 32W-----	2325.
Cal.-77-----	33N 32W-----	1340.
Cal.-78-----	34N 32W-----	40.
Cal.-79-----	29N 33W-----	5440.
Cal.-80-----	30N 33W-----	3800.
Cal.-81-----	31N 33W-----	3820.

OFFICIAL LEASING MAP, CALIFORNIA MAP NO. 3

(Approved November 21, 1961; Revised February 7, 1962)

San Francisco Area

Tract No.	Block	Corrected acreage
Cal.-104-----	34N 44W-----	5740
Cal.-106-----	34N 45W-----	4310
Cal.-108-----	34N 46W-----	4320
Cal.-110-----	34N 47W-----	5450
Cal.-111-----	35N 47W-----	700
Cal.-113-----	35N 48W-----	5680
Cal.-114-----	36N 48W-----	5680

OFFICIAL LEASING MAP, CALIFORNIA MAP NO. 5

(Approved November 21, 1961)

Morro Bay Area

Tract No.	Block	Deletion or corrected acreage
Cal.-135-----	24N 50W-----	Delete.
Cal.-136-----	30N 52W-----	Do.
Cal.-137-----	31N 52W-----	Do.
Cal.-138-----	34N 52W-----	Do.
Cal.-139-----	29N 53W-----	Do.
Cal.-140-----	30N 53W-----	Do.
Cal.-141-----	31N 53W-----	Do.
Cal.-142-----	32N 53W-----	Do.
Cal.-143-----	33N 53W-----	Do.
Cal.-144-----	29N 54W-----	Do.
Cal.-145-----	30N 54W-----	Do.
Cal.-146-----	31N 54W-----	Do.
Cal.-147-----	32N 54W-----	Do.
Cal.-148-----	33N 54W-----	Do.
Cal.-152-----	30N 55W-----	Do.
Cal.-153-----	31N 55W-----	Do.
Cal.-154-----	32N 55W-----	Do.
Cal.-155-----	33N 55W-----	Do.
Cal.-161-----	39N 55W-----	5260.
Cal.-162-----	40N 55W-----	630.
Cal.-164-----	40N 56W-----	5050.
Cal.-165-----	41N 56W-----	1930.
Cal.-166-----	42N 56W-----	1300.

KARL S. LANDSTROM,

Director,

Bureau of Land Management.

Recommended: December 6, 1962.

JOHN A. CARVER, Jr.,
Assistant Secretary,
Public Land Management.

Approved: December 6, 1962.

JAMES K. CARR,
Under Secretary of the Interior,
Department of the Interior.

[F.R. Doc. 62-12251; Filed, Dec. 10, 1962;
8:50 a.m.]

OUTER CONTINENTAL SHELF OFF CALIFORNIA

Oil and Gas Lease Offer; Deletion and Correction

In F.R. Doc. 62-9835, appearing at pages 9734 to 9736 of the issue for Tuesday, October 2, 1962, the following changes should be made as related to the special "Hold Harmless" clause in the second full paragraph, page 9735.

The last sentence of that paragraph is deleted and the following wording substituted therefore: "In addition, leases for tracts on Map No. 5 Morro Bay area will carry a clause which prevents pipelines and cables from coming ashore on lands controlled by the military."

KARL S. LANDSTROM,
Director,

Bureau of Land Management.

Recommended: December 6, 1962.

JOHN A. CARVER, Jr.,
Assistant Secretary,
Public Land Management.

Approved: December 6, 1962.

JAMES K. CARR,
Under Secretary of the Interior,
Department of the Interior.

[F.R. Doc. 62-12254; Filed, Dec. 10, 1962;
8:50 a.m.]

OUTER CONTINENTAL SHELF OFF CALIFORNIA

Oil and Gas Lease Offer; Lease Stipulations

The notice dated September 21, 1962, and published in the FEDERAL REGISTER on October 2, 1962 (27 F.R. 9734-9736) is hereby supplemented to provide (1) that no drilling operations shall be conducted from fixed or permanent above surface structures on leases issued for tracts No. CAL. 103 to 134, inclusive, 149-151, inclusive, and 156-168, inclusive, and shown on the official California leasing Map No. 3, San Francisco Area, and Map No. 5, Morro Bay Area, and completions shall be made so that all well-heads are below the surface; and (2) that pipelines from producing wells to the shore installations crossing the Point Reyes National Seashore Area as described in section 2, Public Law 87-657 (76 Stat. 538) shall be located, constructed and maintained to specifications and only in locations that have been previously approved in writing by the authorized officer of the Department of the Interior. It is intended that pipeline location, construction, and maintenance will be accomplished in such manner to preserve as fully as possible the natural conditions of the Seashore Area. It is planned that not more than two crossing routes will be approved, one toward the

north and one toward the south of the Point Reyes Peninsula.

KARL S. LANDSTROM,
Director,
Bureau of Land Management.

Recommended: December 6, 1962.

JOHN A. CARVER, JR.,
Assistant Secretary,
Public Land Management.

Approved: December 6, 1962.

JAMES K. CARR,
Under Secretary of the Interior,
Department of the Interior.

[F.R. Doc. 62-12252; Filed, Dec. 10, 1962;
8:50 a.m.]

OUTER CONTINENTAL SHELF OFF CALIFORNIA

Submission of Bids for Lease of Oil and Gas

Pursuant to section 8 of the Outer Continental Shelf Lands Act (67 Stat. 462; 43 U.S.C. sec. 1331 et seq.) and the regulations issued thereunder (43 CFR Part 201), sealed bids addressed to the Director, Bureau of Land Management, Department of the Interior, Washington 25, D.C., will be received on or before March 13, 1963, at 9:00 a.m., e.s.t., for the lease of oil and gas in certain areas of the Outer Continental Shelf, adjacent to the State of California. Bids may be delivered in person to the Office of the Assistant Director, Operating Services, Room 5652, between 8:00 a.m., e.s.t., and 9:00 a.m., e.s.t., March 13, 1963. Bids will be opened at 10:00 a.m., e.s.t., March 13, 1963, in the Department of Interior Auditorium, First Floor, 18th and C Streets, Washington, D.C.

All bids must be submitted in accordance with applicable regulations, particularly 43 CFR 201.20, 201.21, and 201.22. Bids may not be modified or withdrawn unless the modification or withdrawals are received prior to the time fixed for filing of the bids. Bidders are warned against violation of section 1860, Title 18 U.S.C., prohibiting unlawful combination or intimidation of bidders. Attention is directed to the non-discrimination clauses in section 2(k) of the lease agreement (Form 4-1255 (July 1962)). Bidders must submit with each bid one-fifth of the amount bid in cash, or by cashier's check, bank draft, certified check or money order payable to the order of the Bureau of Land Management. The leases will provide for a royalty rate of one-sixth, and a rental or minimum royalty of \$3 per acre or fraction thereof. The successful bidder for each tract will be required to pay the remainder of the bid and the first year's rental of \$3 per acre and furnish an acceptable surety bond as provided in 43 CFR 201.51 prior to the issuance of each lease.

All leases will provide for the suspension of operations during war, or national emergency, or in the interest of national security as determined by the Commander, Western Sea Frontier, U.S.

Navy, of the area. No drilling operations shall be conducted from fixed or permanent above surface structures on leases issued for these tracts, and completions shall be made so that all well-heads are below the surface; and leases for tracts will carry a clause which prevents pipelines and cables from coming ashore on lands controlled by the military.

Copies of the lease agreement (Form 4-1255 (July 1962)) may be obtained from the Manager, Land Office, Bureau of Land Management, 1414 Eighth Street (Post Office Box 723), Riverside, California; the Regional Oil and Gas Supervisor, Geological Survey, Room 1012 Bartlett Building, 215 West Seventh Street, Los Angeles, California; the Manager, New Orleans Office, T-9003 Federal Office Building, New Orleans, La.; or the Assistant Director, Operating Services, Bureau of Land Management, Washington 25, D.C.

Bids will be considered on the basis of the highest cash bonus offered for a tract but no total bid amounting to less than \$5 per acre or fraction thereof will be considered. Oil payment, overriding royalty, logarithmic or sliding scale bids will not be considered. No bid for less than full tract, as listed below, will be considered. A separate bid, in a separate sealed envelope, must be submitted for each tract. The envelope should be endorsed "Sealed bid for oil and gas lease, California (insert number of tract), not to be opened until 10:00 a.m., e.s.t., March 13, 1963." The right is reserved to reject any or all bids even though the bid may exceed the minimum referred to previously.

The tracts offered for bid are as follows:

OFFICIAL LEASING MAP, CALIFORNIA MAP NO. 5

(Approved November 21, 1961)

Morro Bay Area

Tract No.	Block	Acreage
Cal.-135-----	24N 50W-----	3340
Cal.-136-----	30N 52W-----	5540
Cal.-137-----	31N 52W-----	5700
Cal.-138-----	34N 52W-----	2180
Cal.-139-----	29N 53W-----	5760
Cal.-140-----	30N 53W-----	5760
Cal.-141-----	31N 53W-----	5760
Cal.-142-----	32N 53W-----	5760
Cal.-143-----	33N 53W-----	5760
Cal.-144-----	29N 54W-----	5760
Cal.-145-----	30N 54W-----	5760
Cal.-146-----	31N 54W-----	5760
Cal.-147-----	32N 54W-----	5760
Cal.-148-----	33N 54W-----	5760
Cal.-152-----	30N 55W-----	5760
Cal.-153-----	31N 55W-----	5760
Cal.-154-----	32N 55W-----	5760
Cal.-155-----	33N 55W-----	5760

Official leasing map, Morro Bay (No. 5) can be purchased for one dollar per set from Manager, Bureau of Land Management, T-9003 Federal Office Building, 701 Loyola Avenue, New Orleans 12, La.; Land Office Manager, Bureau of Land Management, Federal Building and U.S. Court House, 650 Capitol Avenue, Sacramento 14, Calif.; Land Office Manager, Bureau of Land Management, 1414 Eighth Street (Post Office Box 723), Riverside, Calif., or the Director, Bureau

of Land Management, Washington 25, D.C.

Bidders are requested to submit their bids in the following form:

Director,
Bureau of Land Management,
Department of the Interior,
Washington 25, D.C.

OIL AND GAS BID

The following bid is submitted for an oil and gas lease on land of the Outer Continental Shelf specified below:

Area -----
Official Leasing Map No. -----
Tract No. -----
Total amount -----
Amount per acre -----
Amount submitted with bid -----
(Signature) -----
(Address) -----

Important. The bid must be accompanied by one-fifth of the total amount bid. This amount may be in cash, money order, cashier's check, certified check, or bank draft.

A separate bid must be made for each tract.

KARL S. LANDSTROM,
Director,
Bureau of Land Management.

Recommended: December 6, 1962.

JOHN A. CARVER, JR.,
Assistant Secretary, Public Land
Management.

Approved: December 6, 1962.

JAMES K. CARR,
Under Secretary of the Interior,
Department of the Interior.

[F.R. Doc. 62-12253; Filed, Dec. 10, 1962;
8:50 a.m.]

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

BANK OF VIRGINIA BEACH AND BANK OF PRINCESS ANNE

Notice of Report on Competitive Factors Involved in Merger Application

On October 3, 1962, the Board of Directors of the Federal Deposit Insurance Corporation, pursuant to 12 U.S.C. 1828(c), requested that the Comptroller of the Currency report on the competitive factors involved in the proposed merger of the \$10 million Bank of Virginia Beach, Virginia Beach, Virginia, and the \$3.1 million Bank of Princess Anne, Princess Anne County, Virginia.

On November 2, 1962, the Comptroller of the Currency reported that the merger would result in a stronger bank capable of meeting the financial demands of the county and would add a spur to the already keen competition among the larger banks in the service area. He concluded that the effect on competition would be favorable.

Copies of this report are available on request to the Comptroller of the Currency, Washington 25, D.C.

Dated: December 4, 1962.

[SEAL] A. J. FAULSTICH,
*Administrative Assistant to the
Comptroller of the Currency.*

[F.R. Doc. 62-12207; Filed, Dec. 10, 1962;
8:48 a.m.]

CENTRAL JERSEY BANK AND TRUST CO. AND FARMERS NATIONAL BANK OF ALLENTOWN

Notice of Report on Competitive Factors Involved in Merger Appli- cation

On October 9, 1962, the Board of Directors of the Federal Deposit Insurance Corporation, pursuant to 12 U.S.C. 1828(c), requested that the Comptroller of the Currency report on the competitive factors involved in the proposed merger of the \$5.1 million Farmers National Bank of Allentown, Allentown, New Jersey, and the \$82.8 million Central Jersey Bank and Trust Company, Freehold, New Jersey.

On November 2, 1962, the Comptroller of the Currency reported that the merger would eliminate the only unit bank in Allentown and have an unfavorable competitive impact on the smaller banks in western Monmouth County.

Copies of this report are available on request to the Comptroller of the Currency, Washington 25, D.C.

Dated: December 4, 1962.

[SEAL] A. J. FAULSTICH,
*Administrative Assistant to the
Comptroller of the Currency.*

[F.R. Doc. 62-12208; Filed, Dec. 10, 1962;
8:48 a.m.]

CIVIL SERVICE COMMISSION

PUBLIC HEALTH NUTRITIONIST

Notice of Listing of Position for Which There is Determined To Be a Man- power Shortage

Under the provisions of Public Law 86-587, the Civil Service Commission has determined that there is a manpower shortage for the following:

Series code and grade	Position and location	Effective date
GS-403-9 through 15.	Public Health Nutritionist, nationwide.	Dec. 4, 1962

Travel and transportation expenses may be paid for appointees to their duty station for the positions as listed above.

Any such payments as a result of this determination must be made in accord-

ance with travel regulations issued by the Bureau of the Budget.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
*Executive Assistant to
the Commissioners.*

[F.R. Doc. 62-12201; Filed, Dec. 10, 1962;
8:47 a.m.]

FEDERAL MARITIME COMMISSION

AMERICAN MAIL LINE, LTD., AND JOHNSON LINE

Notice of the Filing of Agreement

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement 9059, between American Mail Line, Ltd. and Rederi Aktiebolaget Nordstjernan (Johnson Line), covers a through billing arrangement in the trade from ports in Washington, Oregon and Alaska to Madras, Colombo, Cochin, Bombay and Karachi, with transshipment at Hong Kong, Singapore or Penang.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: December 6, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 62-12212; Filed, Dec. 10, 1962;
8:48 a.m.]

A. P. MOLLER-MAERSK LINE AND SEA-LAND SERVICE, INC.

Notice of the Filing of Agreement

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement 8885, between the carriers comprising the A. P. Moller-Maersk Line joint service and Sea-Land Service, Inc., covers a through billing arrangement in the trade from Japan, Hong Kong, Formosa, Philippines, Federation of Malaya, Colony of Singapore, Thailand, Indonesia, Ceylon, India, Cambodia and Viet Nam to Puerto Rico, with transshipment at New York.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Fed-

eral Maritime Commission, Washington, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: December 5, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 61-12213; Filed, Dec. 10, 1962;
8:48 a.m.]

OZEAN LINIE G.m.b.H. and HUGO STINNES

Notice of Filing of Agreement

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement 8810, between Ozean Linie G.m.b.H. and Hugo Stinnes, provides for the creation of a joint service to operate between United States ports and European ports, both parties supplying tonnage for the venture. The agreement further provides that each party will be responsible for the manning, supplying and maintenance of their own vessels and for all expenses incidental to their operation including conference expenses; that net revenues will be pooled and divided between the two lines on the basis of "actual boat/days" participation; for the establishment of agreed rates, charges, and practices in any trade in which they are not a conference member and, in such event, for the filing of true and complete statements with the Federal Maritime Commission of all actions taken pursuant to the arrangement; for joint membership in any conference they may care to join; for cancellation on thirty days' notice and the procedure for dissolution of the agreement; and for cancellation of Agreement 8089, between the same two parties.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: December 5, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 62-12214; Filed, Dec. 10, 1962;
8:48 a.m.]

**ZIM ISRAEL NAVIGATION CO., LTD.,
AND NAVIERA CASTELLANA, S.A.****Notice of Filing of Agreement**

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement 9052, between Zim Israel Navigation Co., Ltd., and Naviera Castellana, S.A., provides for the employment of Naviera Castellana's ship "Maria Luisa Velasco" in the Zim Israel Mediterranean-Pacific Service pursuant to the terms of the agreement. The arrangement provides that Naviera Castellana will be responsible for all costs incurred in the operation of its vessel, but that the master of such vessel shall "obey all instructions given him by Zim . . . relating to the sailing, routing, loading, discharging and working of the vessel"; that such vessel will be at Zim's disposal for employment and that Zim shall act as general agent for the service. Most of the terms of the agreement relate to the agency relationship intended to become operative upon the approval of the arrangement. Other provisions include Zim's intention to sponsor Naviera Castellana's admission into the Pacific Coast European Conference (Agreement 5200) and the Mediterranean/North Pacific Coast Freight Conference (Agreement 8090); agreement as to the manner of settling claims arising against the parties; a requirement for arbitration in the event of disputes; for the addition and/or substitution of vessels in the service; for the pooling and apportionment of net earnings; and the undertaking by Naviera Castellana to do its "utmost to obtain Spanish cargoes as well as otherwise to assist Zim to develop its trade, particularly with Latin American countries".

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: December 5, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 62-12215; Filed, Dec. 10, 1962;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP62-65]

EL PASO NATURAL GAS CO.**Notice of Application and Date of
Hearing**

DECEMBER 4, 1962.

Take notice that El Paso Natural Gas Company (Applicant), a Delaware cor-

No. 239—4

poration with its principal place of business in El Paso, Texas, filed an application pursuant to section 7(b) of the Natural Gas Act, as amended, on September 14, 1961 for permission to abandon the facilities hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

Applicant seeks authority to abandon approximately 256 feet of 4½" O.D. pipeline, a dehydrator and appurtenances located along its 26" O.D. main transmission pipeline located in Section 30, Township 1 North, Range 101 West, Rio Blanco County, Colorado. The applicant states that the facilities described above were used to transport natural gas produced from the Phillips Kadane-Morgan Government No. 1 Well which was purchased from certain producers named in the application; that the well became incapable of producing gas and that after reworking the well failed and was plugged and abandoned. Applicant proposes to abandon the main line tap and the 256 feet of 4½ inch O.D. lateral pipeline in place. The dehydrator and appurtenances are to be removed and salvaged.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 15, 1963 at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 28, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-12181; Filed, Dec. 10, 1962;
8:45 a.m.]

[Docket No. CP62-121]

**NATURAL GAS PIPELINE COMPANY
OF AMERICA****Notice of Applications To Amend**

DECEMBER 4, 1962.

Take notice that on October 1, 1962, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan Avenue, Chicago 3, Illinois, filed in Docket No. CP62-121 an application to further amend the order in said docket heretofore issued by the Commission on May 18, 1962, by authorizing the construction and operation of tap and metering facilities and the sale and delivery of an additional daily contract quantity of 14,000 Mcf of natural gas to Iowa-Illinois Gas and Electric Company (Iowa-Illinois) for resale, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The proposed facilities for the establishment of an additional delivery point for sales to Iowa-Illinois will be in Henry County, Illinois, and are estimated to cost \$29,100, to be financed from funds on hand. The application states that Iowa-Illinois has entered into a contract to supply Nitrin Corporation's plant near Cordova, Illinois, with 14,000 Mcf of natural gas per day on a firm basis for use in the manufacture of fertilizer products.

Take further notice that on November 5, 1962, Applicant filed in the subject docket an application to amend the order of May 18, 1962, in said docket by authorizing the sale and delivery of an additional daily contract quantity of 100 Mcf of natural gas to the City of Sullivan, Illinois, for resale, and an additional daily contract quantity of 407 Mcf of natural gas to Associated Natural Gas Company for resale in Jackson, Missouri, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Both the City of Sullivan and Associated Natural Gas Company have advised Applicant that the additional gas is necessary to meet 1962-63 winter demands, the application states. It is further stated that the additional quantities will be delivered through existing connection and metering facilities.

Protests, requests for hearing, or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 27, 1962.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-12182; Filed, Dec. 10, 1962;
8:45 a.m.]

[Docket No. G-17544]

**NEW YORK STATE NATURAL GAS
CORP. AND HOME GAS CO.****Notice of Application To Amend**

DECEMBER 4, 1962.

Take notice that on October 18, 1962, New York State Natural Gas Corporation (New York Natural), 2 Gateway Center, Pittsburgh 22, Pennsylvania, and Home

Gas Company (Home), 800 Union Trust Building, Pittsburgh 19, Pennsylvania (sometimes hereinafter referred to jointly as Applicants), filed in Docket No. G-17544 a joint application to amend the Commission's order, issued May 29, 1959, in Docket No. G-17544, all as more fully set forth in the joint application to amend on file with the Commission and open to public inspection.

The subject order authorized Applicants to construct, operate and acquire certain facilities and to exchange natural gas only during emergencies.

Under the subject proposal, pursuant to a new and additional agreement, New York Natural will construct approximately 2.7 miles of 4-inch pipeline from certain gas wells in the Town of Van Etten, Chemung County, New York, to connect with Home's pipelines in said town and county. Home will construct a measuring station at such connection, and New York Natural will reimburse Home for the cost of such station. The proposed facilities will be used by New York Natural to deliver its Van Etten Field gas to Home, and Home will deliver corresponding volumes of gas to New York Natural at existing interconnections. The joint application shows that the Van Etten wells are located approximately nine miles from New York Natural's nearest pipeline, but only 2.7 miles from Home's pipelines.

The total cost of the proposed facilities is estimated to be \$49,750.

Applicants seek herein to have the May 29, 1959, order amended by authorizing the proposed construction and operation of facilities and the proposed additional exchange of gas.

Protests, petitions to intervene or requests for hearing in this proceeding may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 28, 1962.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-12138; Filed, Dec. 10, 1962;
8:45 a.m.]

[Docket No. CP63-7]

NORTHERN NATURAL GAS CO.

Notice of Application and Date of Hearing

DECEMBER 4, 1962.

Take notice that on July 9, 1962, Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha 1, Nebraska, filed in Docket No. CP63-7 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval of the Commission to abandon certain facilities and for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities in Dakota and Washington Counties, Minnesota, for the continued sale of natural gas to Organic Soil Builders, Inc., and the South St. Paul Sewage Disposal Plant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that because the City of South St. Paul, Minnesota, is expanding its disposal plant in Dakota County so as to make a sludge pond over and across Applicant's existing facilities, Applicant proposes to abandon in place part of its 6-inch branchline serving the Newport-St. Paul Cold Storage Plant in Washington County and all of its 2-inch branchline serving the other two customers in Dakota County. Applicant further proposes to remove and relocate one town border station in Dakota County and to construct and operate approximately 1,600 feet of 3-inch branchline in Dakota County in order to maintain service to the two plants in that county. Applicant also seeks authorization to sell a portion of the 6-inch line and the town border station located on the east side of the Mississippi River in Washington County to Northern States Power Company who will provide natural gas service to the cold storage company.

The proposed facilities are estimated to cost \$12,050 which will be financed from funds on hand. The 6-inch line and town border station will be sold to Northern States Power Company for one dollar.

These related matters should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 22, 1963, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street, NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 11, 1963. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-12184; Filed, Dec. 10, 1962;
8:45 a.m.]

[Docket No. CP63-35]

TEXAS GAS TRANSMISSION CORP.

Notice of Application and Date of Hearing

DECEMBER 4, 1962.

Take notice that on July 31, 1962, Texas Gas Transmission Corporation

(Applicant), P.O. Box 1160, Owensboro, Kentucky, filed in Docket No. CP63-35 an application pursuant to section 7(c) of the Natural Gas Act for authorization to construct and operate facilities and to transport and sell natural gas to and for Gulf Oil Corporation (Gulf), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant seeks authorization to:

(1) transport, on a high priority interruptible basis, for the account of Gulf, up to 6000 Mcf of natural gas per day produced by Gulf, from a point of receipt in Clairborne Parish, Louisiana, to a proposed point of delivery to Gulf in Hamilton County, Ohio;

(2) sell to Gulf, on an interruptible basis, up to 5000 Mcf of natural gas per day at the proposed Hamilton County delivery point during the period when Gulf is drilling the wells necessary to supply the daily delivery volumes to be transported by Applicant; and

(3) construct and operate a meter station at the proposed point of delivery at a cost of \$4,470.

The volumes of gas proposed to be transported for, and sold to, Gulf will be used by Gulf as fuel in its Cleves, Ohio, refinery following the completion of an extensive modernization of the refinery. The gas will displace oil as the fuel used in the refinery.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 8, 1963, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street, NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 28, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-12185; Filed, Dec. 10, 1962;
8:46 a.m.]

[Docket No. CP63-98]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application and Date of Hearing

DECEMBER 4, 1962.

Take notice that Transcontinental Gas Pipe Line Corporation (Applicant), a Delaware corporation, with its principal place of business in Houston, Texas, filed an application pursuant to section 7(b) of the Natural Gas Act, as amended, on October 17, 1962, for permission to abandon the facilities hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

Applicant seeks authority to abandon approximately 545 feet of 8-inch lateral pipeline, running from its Ashmead Road Meter Station in Cheltenham Township, Montgomery County, Pennsylvania to the Levick Street facilities of Philadelphia Gas Works Division of The United Gas Improvement Company at the City Limits of Philadelphia, Philadelphia County, Pennsylvania, known as the "Ashmead Road Lateral." The application states that the line originally served as a means of delivering gas sold by Transco to The United Gas Improvement Company through the latter's Levick Street facilities. All but a short length of the line is presently inactive due to the construction and operation by The United Gas Improvement Company of its own line from the Ashmead Road Meter Station to a point near the Levick Street facilities.

Applicant further states that it has negotiated a sale of the inactive line in place to The United Gas Improvement Company for \$3,163.68.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 14, 1963 at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 27, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and

concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-12186; Filed, Dec. 10, 1962; 8:46 a.m.]

FEDERAL RESERVE SYSTEM

FIRST COLORADO BANKSHARES, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) (2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842), by First Colorado Bankshares, Inc., which is a bank holding company located in Englewood, Colorado, for the prior approval of the Board of the acquisition by Applicant of not less than 67 percent of the voting shares of Security National Bank, Denver, Colorado.

In determining whether to approve this acquisition, the Board is required by the Bank Holding Company Act to take into consideration the following factors: (1) The financial history and condition of the company and the bank concerned; (2) their prospects; (3) the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington 25, D.C.

Dated at Washington, D.C., this 5th day of December 1962.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 62-12187; Filed, Dec. 10, 1962; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 811-832]

ALASKA-NORTH AMERICAN INVESTMENT CO.

Notice of Application for Order Declaring That Company Has Ceased To Be an Investment Company

DECEMBER 5, 1962.

Notice is hereby given that an application has been filed pursuant to section

8(f) of the Investment Company Act of 1940 ("Act"), for an order of the Commission declaring that The Alaska-North American Investment Company ("Applicant"), 1816 Jefferson Place, NW., Washington, D.C., a management closed-end non-diversified company, has ceased to be an investment company. All interested persons are referred to the application on file with the Commission for a complete statement of the facts which are summarized below.

Applicant represents that on May 21, 1962, all of its assets were transferred to Shares In American Industry, Inc. ("Industry"), pursuant to a merger agreement approved by shareholders of Applicant at a special meeting held on May 16, 1962, and that in exchange therefor shareholders of Applicant were entitled to receive shares of Industry computed upon the basis of the relative net asset values of the respective companies. As of November 14, 1962, all but 64 shareholders owning 6,935 shares of Applicant had exchanged their shares of Applicant for shares of Industry, for which 2,285,376 shares of Industry with an aggregate market value of \$28,201.53 have been deposited with Riggs National Bank, Washington, D.C. Applicant also represents that it ceased to act as an investment company as defined in the Act as of the date of the merger; that upon consummation of the merger all debts and obligations of Applicant were assumed by Industry; and that on July 16, 1962 Applicant's Articles of Dissolution were received and approved by the State Department of Assessments and Taxation of Maryland.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission upon application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order, the registration of such Company shall cease to be in effect.

Notice is further given that any interested person may, not later than December 26, 1962, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant. Proof of such service (by affidavit or in case of an attorney-at-law certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application

shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 62-12197; Filed, Dec. 10, 1962;
8:47 a.m.]

[File No. 70-4092]

BLACKSTONE VALLEY GAS AND ELECTRIC CO. ET AL.

Notice of Filing of Joint Application- Declaration Regarding Short-Term Borrowings by Subsidiary Com- panies

DECEMBER 5, 1962.

In the matter of Blackstone Valley Gas and Electric Company, Valley Gas Company, 55 High Street, Pawtucket, Rhode Island and Eastern Utilities Associates, 49 Federal Street, Boston 7, Massachusetts.

Notice is hereby given that Eastern Utilities Associates ("EUA"), a registered holding company, and its public-utility subsidiary companies, Blackstone Valley Gas and Electric Company ("Blackstone") and Valley Gas Company ("Valley"), have filed a joint application-declaration, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), regarding the proposed issuance and sale by Blackstone and Valley of short-term notes and the acquisition by EUA of certain notes of Blackstone. Applicants-declarants have designated sections 6(a), 7, 9(a), 10, 12(b), 12(c), and 12(f) of the Act and Rules 42(b)(2), 43(a), 45(b)(1) and 50(a)(2), (a)(3), and (a)(4) promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to the joint application-declaration on file at the office of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

Blackstone proposes to borrow and re-borrow through the issuance and sale to banks and EUA, from time to time during the period ending December 27, 1963, short-term unsecured promissory notes in an aggregate principal amount to be outstanding at any one time during such period not exceeding \$6,200,000 (of which not in excess of \$1,000,000 principal amount will be issued to EUA). Such notes will mature on various dates during 1963 and will bear interest not in excess of the prime rate in effect on the date of issuance, and will be prepayable, in whole or in part, at any time without penalty.

Valley proposes to borrow and re-borrow through the issuance and sale to banks, from time to time during the period ending December 27, 1963, short-term unsecured promissory notes in an aggregate principal amount not exceeding \$900,000. Such notes will mature on various dates during 1963, will bear interest not in excess of the prime rate in effect on the date of issuance, and will be prepayable, in whole or in part, at any time without penalty.

The proposed bank borrowings and re-borrowings during the period from December 28, 1962, through December 27, 1963, will be made from the following named banks in the respective aggregate maximum amounts indicated: The First National Bank of Boston, Boston, Mass., \$2,200,000; Industrial National Bank of Rhode Island, Providence, R.I., \$1,950,000; and Rhode Island Hospital Trust Company, Providence, R.I., \$1,950,000.

The proceeds of the notes to be issued will be used by Blackstone and Valley to pay when due their outstanding short-term notes which are expected to be outstanding in the aggregate principal amounts of \$5,400,000 (including \$1,000,000 due EUA) and \$500,000, respectively, at December 28, 1962, and to meet cash requirements for construction expenditures during the period ending December 27, 1963.

In the filing Blackstone and Valley each agree that if any permanent financing (including sale of Valley common stock by Blackstone) is done by it before the maturity of its short-term indebtedness covered by the filing, it will apply the proceeds therefrom in partial or total payment of its short-term indebtedness then outstanding, and the amounts of short-term indebtedness that may be outstanding at any one time during the period ending December 27, 1963, in the case of each company, shall thereafter be reduced by the amount of the proceeds applied to the prepayment of short-term indebtedness, except that such reduction shall not limit the amount of short-term indebtedness permitted by the provisions of section 6(b) of the Act.

The fees and expenses to be incurred in connection with the proposed transactions are estimated at \$635 of counsel fees for EUA, \$215 of legal fees for Blackstone and \$215 of legal fees for Valley.

The joint application-declaration states that no State commission and no Federal commission, other than this Commission, has jurisdiction in respect of any of the proposed transactions.

Notice is further given that any interested person may, not later than December 20, 1962, request in writing that a hearing be held in respect of such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law which he desires to controvert; or he may request that he be notified should the Commission order a hearing in respect of such matters. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of the request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicants-declarants, at the addresses stated above, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) filed or dispatched contemporaneously with the request. At any time after said date the joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the rules and regulations promulgated

under the Act; or the Commission may grant exemption from its rules and regulations as provided in Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 62-12198; Filed, Dec. 10, 1962;
8:47 a.m.]

[File No. 812-1535]

E. I. DU PONT DE NEMOURS AND CO.

Notice of Application for Order Ex- empting Transactions Between Af- filiated Persons

DECEMBER 5, 1962.

Notice is hereby given that E. I. du Pont de Nemours and Company ("Applicant"), Wilmington 98, Delaware, a Delaware corporation, has filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order exempting from section 17(a) of the Act the sale of real property by Stauffer Chemical Company ("Stauffer") to Applicant for a consideration of \$123,557, or \$950 an acre. All persons are referred to said application on file with the Commission for a full statement of the representations therein which are summarized below.

Christiana Securities Company ("Christiana"), a registered closed-end investment company owns approximately 29 percent of the outstanding common stock of Applicant and is therefore, under section 2(a)(9) of the Act, presumed to control Applicant. Applicant and Stauffer each owns 50 percent of the outstanding capital stock of Old Hickory Chemical Co. ("Old Hickory"), a Delaware corporation having its principal offices in Richmond, Virginia. Under section 2(a)(3) of the Act Stauffer is an affiliate of Old Hickory and Old Hickory, being controlled by Christiana through Applicant, is an affiliate of Christiana. Accordingly, Stauffer is an affiliated person of an affiliated person (Old Hickory), of a registered investment company ("Christiana") and the transaction is prohibited by section 17(a) of the Act unless exempted by order pursuant to section 17(b).

Section 17(a) of the Act prohibits an affiliated person of a registered investment company, or an affiliated person of such a person, from selling to or purchasing from such registered investment company or any company controlled by such registered investment company, any security or other property, subject to certain exceptions, unless the Commission upon application pursuant to section 17(b) grants an exemption from the provisions of section 17(a), after finding that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned, as recited in its registration

statement and reports filed under the Act, and is consistent with the general purposes of the Act.

Stauffer has for sale 130.06 acres of unimproved land located in Davidson County, Tennessee, in the village of Old Hickory and approximately 10 miles northeast of the city of Nashville. The land adjoins a site occupied by Old Hickory and is separated by such site from Applicant's facilities for the production of cellophane, "Dacron" polyester fiber and certain intermediate products. The property was acquired by Stauffer in 1928 for \$200 an acre. Approximately 70 acres thereof comprise part of the site of an abandoned World War I smokeless powder plant from which buildings and equipment were removed leaving heavy reinforced concrete footings, basements and other underground structures and old concrete roads. The land has not been used since World War I and is now covered with a dense growth of vegetation. It is unclassified for zoning purposes and is assessed by County officials at a value of \$28,112. The application states that about 20 acres front on Old Hickory Lake (Reservoir) and are adjacent to a sizeable public beach and recreation area and that such portion of the tract would be suitable for construction of additional recreational facilities such as a marina, restaurant, motels and cottages. The remaining 110 acres, it is represented, would be suitable for industrial use.

Stauffer has no need for the property and proposes to sell it as soon as possible. It has received a bona fide offer of \$1,000 an acre, or a total of \$130,060 from a third party who is not affiliated to Applicant, Stauffer, Old Hickory or Christiana, and because Applicant had previously expressed an interest in acquiring the property, Stauffer informed Applicant concerning such offer whereupon Applicant offered \$950 an acre, or a total of \$123,557. The application states that Applicant's offer actually matches the other offer inasmuch as there will be no real estate broker involved in a sale by Stauffer to Applicant, whereas a commission of five percent of the sale price would be paid by Stauffer to a real estate broker if the offer made by the third party were accepted. The property was appraised by Floyd Adkisson Company, real estate consultants of Nashville and a member of the American Society of Appraisers, who in its report addressed to Stauffer dated July 12, 1962, estimated the market value of the property to be \$130,000.

Applicant's purposes in acquiring the property are to provide for possible future expansion of its production facilities and to prevent the problems that might arise if a recreation area were developed so near to its present properties.

Notice is further given that any interested person may, not later than December 26, 1962 at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Se-

curities and Exchange Commission, Washington 25, D.C. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-12199; Filed, Dec. 10, 1962;
8:47 a.m.]

[File No. 811-1171]

EXCHANGE CAPITAL CORP.

Notice of Filing of Application for Order Declaring That Company Has Ceased To Be an Investment Company

DECEMBER 5, 1962.

Notice is hereby given that Exchange Capital Corporation ("Applicant"), One North LaSalle Street, Chicago 2, Illinois, an Illinois corporation and a management closed-end non-diversified investment company registered under the Investment Company Act of 1940 ("Act"), and licensed to operate under the Small Business Investment Act of 1958, has filed an application pursuant to Section 8(f) of the Act for an order declaring that Applicant has ceased to be an investment company as defined in the Act.

All persons are referred to the application on file with the Commission for a complete statement of the facts which are summarized below.

Applicant represents that its outstanding securities are beneficially owned by twenty persons, one of whom is the Exchange National Bank of Chicago ("National") which has 526 shareholders. National has invested \$108,000 in the Applicant. Applicant states that this sum constitutes less than 5 percent of the total assets of National, whose total assets amounted to \$144,467,019.86 as of June 30, 1962. Applicant then represents that National's interest should be considered beneficial interest by only one person pursuant to Rule 3c-2 of the rules and regulations ("Rules") promulgated under the Investment Company Act of 1940. Applicant also states that it is not now making nor does it presently propose to make a public offering of its securities.

Section 3(c)(1) of the Act provides that any issuer whose outstanding securities are beneficially owned by not more than 100 persons and which is not making and does not presently propose to make a public offering of its securities is not an investment company within the

meaning of the Act. For the purposes of this section, beneficial ownership by a company shall be deemed to be beneficial ownership by one person, except that if such company owns 10 per centum or more of the outstanding voting securities of the issuer, the beneficial ownership shall be deemed to be that of the holders of such company's outstanding securities.

Rule 3c-2 of the rules provides, in pertinent part, that a company's ownership of 10 percent or more of the outstanding securities of a small business investment company which is registered under the Small Business Investment Act of 1958 shall be deemed to be ownership by one person if the value of all securities of small business investment companies owned by such company does not exceed 5 percent of its total assets.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission upon application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than December 26, 1962, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

It is ordered, That the Secretary of the Commission shall give notice of the filing of this application by mailing a copy of this notice by registered mail to the Applicant and to the Director, Office of Investment, Small Business Administration, Washington 25, D.C.; that notice (to all other persons) shall also be given by publication of this notice in the FEDERAL REGISTER; and that a general release of this Commission in respect of this notice be distributed to the press and mailed to the mailing list for releases.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-12200; Filed, Dec. 10, 1962;
8:47 a.m.]

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